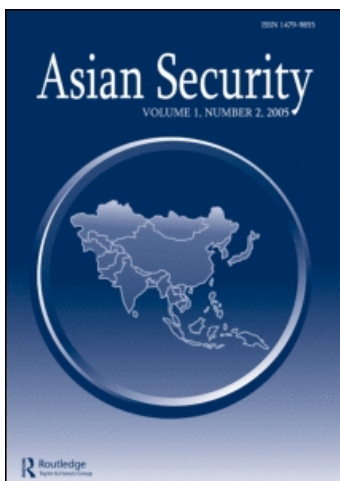


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ASEAN's Albatross: ASEAN's Burma Policy, from Constructive Engagement to Critical Disengagement

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ASEAN's Albatross: ASEAN's Burma Policy, from Constructive Engagement to Critical Disengagement

LEE JONES

Abstract: *Following the abortive “Saffron Revolution” of autumn 2007, Burma’s ASEAN partners were subject to the timeworn criticism that the grouping persistently fails to act against its pariah member due to its near-religious adherence to the norm of non-interference. Conversely, this paper argues that ASEAN’s policy towards Burma has never been one of strict non-interference, but has always been premised on the claim that ASEAN can encourage political change there. Moreover, the non-interference principle has come under increasing pressure since the Asian financial crisis. The article tracks the evolution of ASEAN’s policy, from the adoption of constructive engagement in 1988, through the gradual frustration of ASEAN’s designs, to its present position of critical disengagement, arguing ASEAN’s failure to take a stronger line has less to do with any binding “norms” than with the interests of the region’s predominantly illiberal elites and the grouping’s increasing difficulties in achieving meaningful consensus.*

We don’t set out to change the world and our neighbors. We don’t believe in it. The culture of ASEAN is that we do not interfere.

(Goh Chok Tong, Prime Minister of Singapore, 1992)¹

ASEAN is trying to democratize Myanmar.

(Nguyen Dy Nien, Foreign Minister of Vietnam, 2004)²

Introduction

Recent protests in Burma led by Buddhist monks, and the State Peace and Development Council’s (SPDC) predictably brutal response, have returned the country to the forefront of the international agenda. For two decades, Western powers have sanctioned the regime, criticizing Burma’s Asian neighbors for not doing enough. China has been a particular target of recent ire, with calls to boycott the 2008 Beijing Olympics only reinforced by events in Tibet. However, Burma’s partners in the Association of Southeast Asian Nations (ASEAN) have also been persistently criticized by both foreign and domestic liberal politicians, media and academics for supposedly being bound by its norm of non-interference. Typical is the Bangkok daily *The Nation*’s recent assertion that the “hopeless” ASEAN is “unable to act against its pariah member” because of its reiteration of “the long-standing policy . . . of non-interference in the domestic affairs of other member-states.”³

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This article argues that ASEAN states have in fact sought to influence Burma's political development, and as such have interfered in its internal affairs, moving from "constructive engagement" to critical disengagement. ASEAN states now regularly criticize Burma's behavior and have explicitly called for ASEAN to be given a role in Burma's national reconciliation process. ASEAN's outlook has increasingly aligned with the West's, not out of concern for democracy and human rights, but rather because ASEAN's ruling classes have come to see in Burma's continued intransigence a threat to their developmentalist projects. Their political conservatism, however, has powerfully shaped and defined the limits of their policies. The article traces the evolution of ASEAN's stance since 1988, examines the impact the issue has had on ASEAN's own institutional development, and considers what ASEAN might usefully do next.

ASEAN and the Norm of Non-Interference

Whatever their other theoretical differences, scholars of ASEAN tend to agree on the power of the "cherished" non-interference norm, the defense of which allegedly formed the basis for the Association's formative years in the 1980s, when it confronted Vietnam's invasion of Cambodia. Constructivists, who have come to dominate the field, have elevated the "doctrine" into a binding norm as part of a "security community" or a "diplomatic and security culture" that underpins regional order.⁴ Realists, however, also concur: Leifer argued the "sanctity of national sovereignty is [ASEAN's] most sacred corporate value,"⁵ and a more recent, trenchantly realist critique argued that "the only 'institutional principle' to which ASEAN adheres is that of non-interference."⁶ This principle is said to have been "maintained" despite the impact of the 1997–98 Asian financial crisis, and to have survived essentially unaltered in application to Burma.⁷

Such views are understandable given the way ASEAN governments' statements have historically implied that merely commenting on their internal affairs constitutes unacceptable "interference."⁸ Nonetheless, strong countervailing evidence exists to suggest the norm has been violated in key instances. Cotton notes that ASEAN's norms were "systematically ignored" during the invasion of East Timor, and ASEAN's participation in the UN's 1999 intervention there, providing a "critical experiment" for the "security community view of ASEAN, and consequently it is somewhat puzzling that the best known contemporary exponent of this interpretation avoids an analysis of it."⁹ Likewise, ASEAN's Cambodia policy has been interpreted as a series of interventions in that country's internal affairs.¹⁰ ASEAN's own former Secretary-General, Rodolfo Severino, states that non-interference

is not a doctrine that is adhered to and applied on dogmatic or ideological grounds. It springs from a practical need to prevent external pressure from being exerted against the perceived national interest – or the interest of the regime . . . [As such,] ASEAN's practice of non-interference has not been absolute.¹¹

During the Cold War the "perceived national interest" of ASEAN elites was the maintenance of capitalist social order and the undermining of revolutionary threats by a combination of state-led economic development and authoritarianism. Non-interference

was preferred, but abandoned where intervention better served these ends, such as in Indonesia's invasion of East Timor to crush a "communist" independence movement, Thailand's sponsorship of rebel groups in Burma to prevent the Thai and Burmese Communist Parties from linking up, and ASEAN's intervention in the Cambodian conflict to contain revolution in Indochina.¹² After the Cold War, ASEAN elites sought to preserve favorable conditions for economic development, requiring, above all, "stability" at home and abroad, in a global environment where democracy and human rights were suddenly on the agenda and fuelling the West's "new interventionism." They made limited domestic adjustments while justifying continued illiberalism with reference to their economic dynamism and Asian cultures.¹³ The Asian financial crisis greatly undermined such claims, toppling two governments and massively redistributing foreign investment towards China, plunging ASEAN economies into a deep malaise from which they have not yet fully recovered.¹⁴ ASEAN's response has been an ambitious program of economic integration and East Asian institution-building designed to regain the "political, economic and diplomatic space" they fear being permanently lost to India and China, and thus avoid "political suicide."¹⁵

The sections that follow show how elites' post-Cold War priorities have shaped ASEAN's policies towards Burma, shifting from engagement, in pursuit of resources to fuel economic growth, to critical disengagement, as the political cost of Burma's behavior, in the wake of the financial crisis, increasingly undermined ASEAN's "credibility" and "image."

"Constructive Engagement"

Constructive engagement (CE) was initially devised by Thailand's foreign ministry to normalize its relations with Burma following decades of interference there,¹⁶ but the term originally described Carter and Reagan's policy towards South Africa, and was revived to facilitate the pursuit of US economic interests in China.¹⁷ CE under Reagan has been understood essentially as an effort to pursue US strategic and economic interests while encouraging "moderate" regime change that would preclude a revolutionary outcome and exclude Soviet-Cuban influence from southern Africa.¹⁸ CE in relation to Burma similarly reflected the economic and security interests of ASEAN's dominant elites, who were seeking to displace the Cold War security framework in favor of expanding regional trading networks. This was expressed in Thailand's "New Look" policy, driven by a newly dominant bourgeoisie who had overthrown the military regime in 1988 and aimed at acquiring raw materials and markets to fuel Thai economic growth.¹⁹ Cronyist business interests from Malaysia and Indonesia also hastened to exploit untapped resources and investment opportunities.²⁰

The self-interested nature of this engagement led many commentators to deny any "constructive" aspect to CE. However, like its South African counterpart, ASEAN's policy did include the encouragement of "moderate" political change, in line with ASEAN elites' illiberal preferences for "stability." CE was based on an elitist, Asian values-style understanding of how "regime change" occurred: not through mass action or Western sanctions, but through the socialization of elite youth abroad who would then return home to implement "good governance," tell their elders how "the world had changed" and gradually implement reforms.²¹ ASEAN thus hoped to socialize and

train Burmese elites to shift their perceptions. Malaysia and Singapore also deliberately pushed domestic firms to invest in Burma in the hope that ASEAN capital would help “lift the country up,” just as US capital was supposed to assist the socio-economic position of “moderate” black South Africans. This would pacify Burma’s population in the same way as growth had defused unrest in ASEAN states, reduce cross-border drugs flows, stimulate growth in Thailand and the region more broadly, and preclude Burmese dependence on China.²² Echoing America’s efforts to exclude the Soviets from southern Africa and secure strategic resources there, ASEAN considered this important given uncertainty about China’s strategic intentions, the possibility of Sino-Indian rivalry, and the necessity of acquiring Burma’s resources “before the West, before the Chinese . . . and the Indians.”²³

Thus, one Thai official explained: “Our main concern is not to isolate Myanmar; it is to encourage the Myanmarese [*sic*] to move gradually towards democracy and a market economy . . . We want to encourage those in the Yangon regime who believe there should be more liberalization.” ASEAN officials stressed the goals of ASEAN and the West “are the same . . . Only the approach is different.” One explained, “We have told them that we would like to see them move towards a more constitutional form of government because we believe this is in their own best long-term interests and the best long-term interests of the region.” This reflected the way ASEAN elites were adjusting to the post-Cold War *zeitgeist*. A senior official from Indonesia, which had recently introduced a carefully controlled human rights commission in the wake of the Santa Cruz massacre in East Timor, explained, “We are telling them very quietly, in a Southeast Asian way, without any fanfare, without any public statements: ‘Look, you are in trouble, let us help you. But you have to change, you cannot continue like this’.”²⁴

ASEAN had little interest in promoting the “luxury” of genuine participatory democracy,²⁵ but believed Burmese adoption of the constitutional trappings of ASEAN’s regimes would enhance stability and relieve Western pressure: Indonesia was apparently the model adopted by Burma’s generals.²⁶ Like CE, Burma’s entry to ASEAN in 1997, stridently opposed by the West, was also justified by Malaysian Prime Minister Mahathir as a way “hav[ing] a very positive effect on them”: exposing them to “how Malaysia manages its free market and its system of democracy” would make them less “afraid of the democratic process” and “over time, they will tend to give more voice to the people . . . They become a member first, then put their house in order.”²⁷ However, in addition to tightening sanctions on Burma, America boycotted the forthcoming biannual US–ASEAN Dialogue, while the EU cancelled its joint meetings with the Association, refusing to admit ASEAN’s new members to the Asia-Europe Meetings (ASEM), the major inter-regional cooperation forum.

CE was thus never strict non-interference but was directly predicated on ASEAN’s ability to help change Burma’s internal political arrangements. However, ASEAN misunderstood the nature of Burma’s regime. Rather than embarking on tightly controlled liberalization, the military used the revenue from ASEAN’s economic engagement, and the weapons supplied by Singaporean government-linked companies, to entrench itself in power, rejecting broader people-to-people relations.²⁸ The military was thus able to recover from the period of mass unrest in 1988, which had

toppled the previous regime and forced the calling of elections, and annulled the results of the 1990 poll. ASEAN elites' developmentalism and political conservatism had produced an elitist approach to regime change that undermined its own goals. This is important to understand since ASEAN's engagement was always premised not on non-interference but on a doomed promise to help liberalize Burma's regime. Without this understanding we cannot grasp why ASEAN's credibility came to be so much at stake over Burma after the damage wrought by the Asian financial crisis, and why, after a brief period where CE appeared to be working, ASEAN was frustrated enough to criticize and distance itself from Burma.

“Flexible Engagement”

In the period following the financial crisis, ASEAN was plunged into turmoil as governments in Thailand and Indonesia fell, bitter recriminations were traded over the socio-economic dislocation caused, and the Association was criticized over its handling of the crisis, its admission of Burma and the 1997 Cambodian coup. This section illustrates the short-term impact of these shocks on ASEAN's Burma policy.

In Thailand, the crisis threw the business class into disarray, bringing down the Chavalit government, whose *dirigiste* connections proscribed any effective response. The Democrat Party, a predominantly urban, middle-class party espousing (neo)liberal values, succeeded Chavalit and began implementing reforms aimed at “internationalizing” both Thailand and ASEAN. Traditionally critical of Burma, but previously unable to impose their preferences due to their electoral weakness, they seized on the crisis to push for a more forceful ASEAN policy. Foreign Minister Surin Pitsuwan argued that Thailand faced “formidable impersonal forces that heed no borders . . . we either reform ourselves to meet international standards, or we can resist and be overwhelmed in the end, with no control over the pace or direction of change.” Because “delays and setbacks in one country can affect the region as a whole,” Surin maintained that openness is “no longer a choice countries can embrace or reject as they see fit,” meaning that ASEAN's “cherished principle of non-intervention [should be] modified to allow ASEAN to play a constructive role in preventing or resolving domestic issues with regional implications.”²⁹

This proposal, dubbed “flexible engagement” (FE), downplayed the rights and benefits of ASEAN membership, prioritizing “responsibilities for engagement, that is for contributing to the achievement of common regional goals and for managing bilateral differences or improving bilateral relations.”³⁰ Sukhumbhand Paribatra, Surin's deputy, warned that “States or groups of states which hope to play an influential role in the international political arena may not wish to conform to [Western] norms and values, and in many cases get away without having to do so. But they cannot blatantly and cynically ignore or violate them on a sustained basis,”³¹ arguing that “it is essential that members do their utmost to make themselves acceptable in the eyes of the international community. No one can live in isolation. Otherwise, regional integration will not be able to move forward.”³² Sukhumbhand later explained that in order “to shift from a culture of sovereign impunity to acceptance of the principle and practice of sovereign accountability, ASEAN members have, I believe, the right to encourage fellow members to become more accountable to the region and to the international community.”³³

Although usually seen as a controversial new proposal,³⁴ according to Indonesia's then Foreign Minister, "flexible engagement" was "controversial only to the degree of the name," since it "was the same policy," as CE, reflecting the fact that ASEAN was already engaged in trying to promote change inside Burma – hence the adoption of "enhanced interaction" instead.³⁵ Clearly, however, more than linguistic sensitivity was at stake. The Democrats' liberal ideological commitments seemed to resonate with the *reformasi* movements threatening ASEAN's predominantly conservative elites. In Malaysia, Mahathir was fighting a rearguard action against *reformasi*, and Surin's proposal came just after the US and IMF had essentially levered Suharto from power in Indonesia. Surin's liberal ambitions were not only constrained by the conservatism of his regional partners, but also by the balance of forces within Thai society. The Democrats acceded to power only in a coalition administration in a moment of crisis: conservative *dirigiste* forces, badly disorganized by the financial crisis, were nonetheless regrouping. Surin recognized that entrenched "border business interests and some in the bureaucracy" would resist "quickly and aggressively . . . pressing for greater democracy in the region," and this backlash would cause the policy to fail.³⁶ These tensions expressed themselves in May 1999 when the Labor Ministry, controlled not by the Democrats but by Chavalit ally Sompong Amornvivat, cancelled an International Confederation of Free Trade Unions conference (approved by Surin) called to develop plans to "assist in the struggle for . . . democracy in Burma" on the grounds that it "would result in negative effects on the good relations" between the two states.³⁷ The administration's Burma policy also featured heavily in the censure debate designed to unseat the government in December 1999.

Thai and ASEAN policy towards Burma from 1997 to 2000, while continuing to attempt to foster political change in Burma, was thus nonetheless constrained. Thailand and the Philippines tried to craft a new international consensus at the October 1998 Chilton Park conference, where Sukhumbhand argued against "the old policy of isolation and sanctions," and a new "carrot-and-stick" approach was adopted: \$1bn of World Bank aid was offered in return for political reforms.³⁸ Although Burma rejected the plan, Rangoon-based ambassadors, including Manila's, pressed the regime to accept a UN envoy or face harsher UN resolutions. The UN's Alvaro de Soto was subsequently admitted and he repeatedly pushed the "aid-for-reform" line.³⁹ However, illustrating the constraints on Thai policy, in responding to the plea from Aung San Suu Kyi, leader of Burma's National League for Democracy (NLD), to "nudge Burma towards democracy," Sukhumbhand said such "dreams" must be subjected to "reality tests": while Thailand had pushed bilaterally on human rights, narcotics and refugee flows, non-interference remained the "glue keeping ASEAN together"; as such, Thailand could give moral support to democratization but not champion it.⁴⁰ This reflected the fact that while non-interference had been weakened in relation to Burma, because it remained a factor of cohesion at the regional level, it could not be abandoned altogether.

While doing relatively little to force Burma to change, ASEAN was gravely weakened by the crisis and thus did little to defend Burma. The crisis fundamentally discredited "Asian values," meaning Burma could no longer benefit from that normative shield, as it had in earlier years.⁴¹ ASEAN merely appealed for a less "confrontational" approach, favoring "cooperation" to help countries improve.⁴² In 1999 when Washington campaigned to effectively expel Burma from the International Labour Organization

(ILO) in response to persistent violations of labor rights, ASEAN's defense was not to cite non-interference but to request Burma be given more time to comply.⁴³ This recurred in 2000, with Malaysia requesting "technical assistance" for Burma and Singapore arguing that a recent "positive step regarding compliance" meant that Rangoon deserved more time. Manila stressed that "ASEAN was not asking that the sword of Article 33 be turned into plough shears [*sic*], only that the sword be placed in the scabbard while cooperation with Myanmar is being worked out. Should cooperation fail, then the sword remains available to the Conference."⁴⁴ ASEAN's defense of Burma was thus explicitly conditional, essentially limited to requesting help to enable Rangoon to satisfy international demands. This reflected ASEAN's diminished capacity to offer a more robust defense and its long-standing justifications for engagement with Burma. These justifications were reinforced by pressure from key dialogue partners. As Burma joined ASEAN, Madeleine Albright had insisted, "By admitting Burma as a member, ASEAN assumes a greater responsibility, for Burma's problems now become ASEAN's problems."⁴⁵ ASEM was suspended for two years, with Thailand leading tortuous negotiations to restart cooperation with the EU.

Illusive Payoffs: The Cooperative Years (2000–03)

Domestic change again triggered a new phase in ASEAN–Burma relations from 2000 to 2003, during which ASEAN believed CE was finally paying off. In 2000, ASEM restarted with an implicit ASEAN–EU bargain over Burma which involved Burma pledging to lift restrictions on and engage in "early" talks with the NLD, and accept an EU Troika visit. In what a Dutch diplomat rightly called "a departure from the non-interference principle," in Europe's eyes "it now remained for ASEAN to ensure the junta kept its word."⁴⁶ The SPDC's acceptance of this move was a result of realignment within the junta, with the relatively moderate General Khin Nyunt securing temporary dominance and persuading his colleagues of the possible benefits of cooperation with foreign powers. New UN Special Rapporteur Paulo Sérgio Pinheiro's disavowal of "megaphone diplomacy" helped reinforce Nyunt's position. Burma welcomed Pinheiro's reports as "positive and fairly balanced" and even "emphasize[d] that the current improvement in the country's political climate had been brought about by the engagement, cooperation and encouragement of the international community."⁴⁷ Nyunt's position was also reinforced by the fall of the Democrats to Thaksin Shinawatra's populist Thai Rak Thai party, facilitating the return to direct power of Thailand's business class. The Democrats' Burma policy had become increasingly confrontational over issues like cross-border drugs and refugee flows, prompting armed clashes at the border. By contrast, Thaksin gradually muzzled liberal critics, purged the bureaucracy and reorganized the military to suit his "forward engagement" policy – the promotion of business interests via "mutual trust and respect" and "non-intervention."⁴⁸

These shifts essentially restored the socio-political configurations prevailing prior to the financial crisis, with Thai businessmen now hastening back to Burma, but with the important difference that the Burmese regime was now somewhat more receptive to ASEAN "advice." This was now principally delivered by Mahathir, since Singapore's Lee Kuan Yew, who had filled this role before the crisis, had become "thoroughly disgusted" with the regime's intransigence.⁴⁹ Malaysia joined Thailand and the Philippines at a March 2000 conference in Seoul which asked the UNHCR

and UNDP to assist Burma's population and urged the appointment of a new Special Envoy. Subsequently, de Soto was replaced by Razali Ismail, a close associate of Mahathir. Razali visited Burma 14 times by December 2005, facilitating SPDC–NLD talks which resumed in secret in September 2000.⁵⁰ In January 2001, Mahathir visited Rangoon as ASEAN's representative to push for political progress, returning to announce a "blueprint" whereby elections would be held "in a few years," though reflecting his own illiberal orientation in warning: "when elections are held, people must understand that elections have limits. And not to use elections to undermine authority." Asked to reconcile his involvement with ASEAN's supposed non-interference policy, he explained:

Myanmar is a special case. The West is trying to pressure Myanmar, pressure ASEAN. While we do not want to interfere in the internal affairs of other countries, we feel that the benefits of the kind of liberal democracy that we have in ASEAN countries should be exposed . . . to the people and Government of Myanmar so they will not reject the system.⁵¹

Visiting in August 2002, Malaysia's Foreign Minister Syed Hamid Albar, explained Burma had "promised" to follow ASEAN's lead "into the mainstream of the international community by moving to the political and democratic process [*sic*]."⁵²

Collectively, ASEAN was promoting political change, invoking "non-interference" *not* to defend Burma's sovereign right to resist external pressure but to justify ASEAN's behind-the-scenes methods. At an Informal Foreign Ministers' Meeting in Rangoon in April 2001, the Philippine Foreign Minister claimed Burma was "moving in a positive direction because there is non-interference. We can encourage, we can persuade, but we cannot do it with publicity . . . they know they have to find a solution and they know they have to ultimately follow the democratic process."⁵³ ASEAN Ministerial Meeting (AMM) and Regional Forum (ARF) statements began referencing the situation in Burma for the first time, providing praise and encouragement for progress. The 2001 ARF statement explicitly "extended appreciation" to ASEAN, Burma, Pinheiro and Razali, suggesting that, despite its claims to non-interference, ASEAN was happy to take credit for the regime's new cooperative stance and any progress made.⁵⁴

At the UN, ASEAN states campaigned privately but vigorously against overly critical resolutions, not on the basis of non-interference, but on the grounds that Burma was making progress, mainly expressing anxiety that harsh wording might "hamper efforts towards national reconciliation" by provoking a regime backlash, declaring themselves "willing to assist," hoping that Burma would "continue on the right path," and arguing for the resolution to be reconfigured as "Assistance to Myanmar in the Field of Human Rights."⁵⁵ Conversely, other third world states defending Burma specifically stated they were, as Egypt put it, "as always, opposed to any interference in the internal affairs of States on the pretext of investing [*sic*] the human rights situation."⁵⁶ ASEAN's support remained implicitly conditional and aimed at rewarding the liberalizing forces within Burma: "positive actions merited a consultative and constructive approach by the Commission . . . ASEAN called on both [the government and the opposition] to further their cooperation."⁵⁷

Despite slow progress, some significant changes did occur during this period. Pinheiro undertook six fact-finding missions to Burma from April 2001, yielding

hundreds of prisoner releases. In September 2001, ILO representatives were allowed to visit Burma. Malaysia and Razali's engagement helped initiate SPDC–NLD talks, prisoner releases, the reopening of some NLD offices, and Suu Kyi's release in 2002, all welcomed by the West.⁵⁸ Less than a year later, however, the cooperative period came to a bloody end.

Depayin and the Chairmanship Crisis

On May 30, 2003, a group from the Union Solidarity Development Association, a government-linked mass organization, attacked an NLD motorcade at Depayin, killing four of Suu Kyi's bodyguards and prompting her return to "protective custody." The Depayin incident signaled a backlash from hard-liners within the SPDC, with speculation that General Maung Aye had ordered the attack. Depayin certainly signaled a decisive shift against the relatively weak reformers, completed by Khin Nyunt's effective demotion from the post of Secretary-1 to that of Prime Minister in August 2003 and his final purging from office in October 2004.⁵⁹ ASEAN's reaction to Depayin illustrated that, having staked its "credibility" on the delivery of progress in Burma, "non-interference" had become conditional upon Burmese cooperation. Mahathir stated bluntly: "we have made our stand known that Aung San Suu Kyi is to be released immediately."⁶⁰ Syed Hamid explained, "Whatever developments that can derail or delay the reconciliation process are of concern to us as ASEAN members."⁶¹ "Whether we like it or not, it is an internal affair of Myanmar but it has implications for the region."⁶² Syed Hamid met Burma's Foreign Minister before the July AMM, demanding a timetable for Suu Kyi's release, reporting, "they want [to release her] in accordance with our wish," and promising the setback was "only something temporary." Since it had done "everything possible not to sideline Burma," Syed Hamid noted ASEAN needed to explain Burma's situation "in a very credible manner to ensure ASEAN's reputation and image was not questioned."⁶³

Questioned it certainly was. With its regional embassies demanding ASEAN pressurize Rangoon, a European diplomat noted that Washington was "doing whatever they can to have the Southeast Asian countries influence the government of Burma."⁶⁴ Thaksin, on an official visit to the US, was lambasted by leading senators for "coddling" Burma,⁶⁵ and, to preserve a hoped-for US–Thailand free trade agreement, was forced to issue a joint statement with President Bush expressing "deep concern over recent developments" affirming Thailand's "readiness to do whatever possible to facilitate Burmese national reconciliation and a return to democracy" and demanding the immediate resumption of dialogue.⁶⁶ Colin Powell pledged to use the ARF to "turn the tables on Burma's thugs,"⁶⁷ Japan threatened to withdraw aid from Burma and the US and EU prepared fresh sanctions.

These moves were actually pre-empted at the July AMM, where, as Singapore's Foreign Minister Jayakumar explained, Burma was told Depayin "was a setback for ASEAN . . . because ASEAN had admitted Myanmar . . . despite strong opposition from some Western countries."⁶⁸ Having discussed Depayin, ASEAN "urged Myanmar to resume its efforts of national reconciliation and dialogue among all parties concerned leading to a peaceful transition to democracy," welcomed Burma's assurances that measures taken were only temporary and "looked forward to the early lifting of

restrictions” on Suu Kyi and the NLD.⁶⁹ Philippine Foreign Minister Blas Ople noted ASEAN “had made a clean break with the past. Now with the Myanmar precedent . . . no country from here on may claim absolute immunity from collegial scrutiny if certain policies or acts of commission or omission tended to put the whole organization in disrepute or undermine its credibility.”⁷⁰ This reflected the extent to which Thailand’s earlier arguments on the need to make the region internationally acceptable had been tacitly accepted in the context of ASEAN’s attempt to renew its credibility. Mahathir, admitting “we have done our very best to get them to change their minds,” later suggested Burma might have to be expelled from ASEAN if it remained intransigent because “what one state does embarrasses us, causes a problem for us . . . [it] has affected us, our credibility.”⁷¹

This reflected both that ASEAN had “staked its credibility” on getting the junta to “change their minds,” and that the Association and its member governments were still struggling to repair their severely damaged reputations in the wake of the financial crisis. Domestically, this had led states like Malaysia to announce “good governance” reforms to satiate domestic opponents and lure back foreign investors.⁷² Regionally, ASEAN had clearly begun to internalize Surin’s message about globalization’s “impersonal forces” by embarking on various liberalizing schemes, culminating in the ASEAN Economic Community in 2003. Burma’s behavior detracted from the credibility of all such changes. That this, rather than any principled concern for Burmese freedom and democracy, was the priority was well illustrated by the remarks of Indonesia’s special envoy Ali Alatas, who visited Burma in September to urge Suu Kyi’s release. ASEAN wanted to “focus on the very important issues” on the forthcoming summit’s agenda (the launch of the “ASEAN Security Community”), “rather than focusing on the irrelevant issues. Myanmar could understand this condition, and it promised to release Aung San Suu Kyi at the right time.”⁷³ Thai Foreign Minister Surakiart rejected expelling Burma but nonetheless advised that “international pressure can be reduced if Burma heads in the right direction,”⁷⁴ conceding that ASEAN had to “play an increasingly creative role” to avoid “other groups tak[ing] up the issue and then order[ing] ASEAN to do as they say.”⁷⁵ Remarkably, Thailand then drafted a “roadmap” for Burma’s democratic transition. Rangoon reacted coolly, then issued its own “roadmap,” which Thailand sought to promote to other countries.⁷⁶ Hamid cautioned darkly: “It is wiser for Myanmar to listen now” since otherwise “other countries, other regional organizations including the UN, may come in to decide their fate . . . Myanmar need not be isolated, they can be mainstream but . . . They have to pay heed to the wishes of the international community, including ASEAN.”⁷⁷

ASEAN’s stance was especially hardened by the expected damage that Burma’s scheduled 2006–07 chairmanship of the Association would do to the region. Despite ASEAN’s requests, Suu Kyi was not released and Western pressure was relentless. The EU cancelled ASEM Finance and Economic Ministerial Meetings in 2004, and Vietnam’s Foreign Minister could only salvage the October 2004 ASEM Summit in Hanoi by promising, “ASEAN is trying to democratize Myanmar.” The EU issued a raft of conditions to be fulfilled before Burma took the chair, while US policymakers made it clear they would boycott a Burma-chaired ASEAN. Some US senators even raised the

specter of secondary sanctions on ASEAN states like Thailand. In February 2005, after Burma had used the December 2004 ASEAN Summit to announce the extension of Suu Kyi's detention, Washington's ambassador in Bangkok said it was "no secret" that the prospect of Burma's chairmanship impacting on trade with the US and EU was being discussed in ASEAN capitals,⁷⁸ with US politicians still stoking threats of a boycott.⁷⁹ Secretary of State Rice signaled her intention to skip the 2005 ARF meeting while Washington also threatened to suspend funds for regional development projects.

To illustrate their own frustrations with Burma, ASEAN governments now gave unprecedented space to their legislators to protest the SPDC's behavior and to generate domestic pressure to which governments could be claiming to respond as they moved to deny Burma the ASEAN chair. The ASEAN Inter-Parliamentary Caucus on Myanmar (AIPMC) was formed in November 2004, with small caucuses being established in the parliaments of Malaysia, Indonesia, Thailand, the Philippines and Cambodia. AIPMC opposed Burma's chairmanship, emphasizing the threat to ASEAN's credibility and external relations, but added to their governments' concerns by citing Burma's human rights record and resultant security externalities.⁸⁰ Although resolutions were passed in the Indonesian and Philippine legislatures calling for Burma's chairmanship to be annulled, we must not mistake this for ASEAN governments being pushed into action by a rising tide of liberal opinion or "norms," nor ASEAN launching a "campaign for . . . democracy" in Burma.⁸¹ ASEAN parliamentarians stress public apathy on Burma, their own isolation, their dependency on executives to create space for them to operate, the strict policing of that space, and the very modest contributions they have made. Jakarta and Manila had already stated their opposition to Burma's chairmanship long before their legislatures issued resolutions. Thaksin easily rejected a motion asking the Thai government to debate its Burma policy. Malaysia, where AIPMC had been created, did not even allow its parliament to have a vote. AIPMC's activities, rather than spurring governments to action, reflected that, as Australia's former ambassador to Rangoon, Garry Woodard, said, ASEAN states had "given their legislatures unusual license to join to add to the pressure."⁸²

ASEAN policymakers issued dozens of statements in the run-up to the 2005 AMM, politely making it clear that Burma must relinquish the chair.⁸³ Syed Hamid – who flatly stated "there is no such thing as absolute non-interference"⁸⁴ – said, "we don't want to tell [Burma] they must get out, or that they must miss their turn, but they know what they need to do, and the action must be done by them."⁸⁵ Burma's internal travails were presented as a threat to ASEAN's collective interests in projecting an image of renewal and credibility. Singaporean Foreign Minister Yeo explained, "Their domestic politics and our interests as a region have been intertwined. It is good that these will be decoupled,"⁸⁶ telling parliament, "The real point of concern is that what happens in Myanmar affects ASEAN as a whole and our relationship with our dialogue partners."⁸⁷ Philippine Foreign Minister Romulo said that if Burma followed the roadmap "then there is no problem," but "in the end, we have to consider the credibility of ASEAN and what is good for ASEAN."⁸⁸ As such, Laos and Cambodia's muted support for Burma was overridden;⁸⁹ Burma was effectively stripped of the ASEAN chair with a face-saving declaration citing its decision to focus on domestic affairs.

Burma was thanked “for not allowing its national preoccupation to affect ASEAN’s solidarity and cohesiveness” and showing “its commitment to the well-being of ASEAN and its goal of advancing the interest of all Member Countries.”⁹⁰

Critical Disengagement: The Evolution of Non-Interference

After Depayin, ASEAN drifted towards its current policy position of critical disengagement: criticism of Burma’s internal affairs in violation of non-interference, coupled with resignation as to ASEAN’s inability to influence Burma and a desire to transfer responsibility to the UN to “decouple” the SPDC’s behavior from ASEAN’s standing. Nonetheless, the impact on the Association’s institutional development became increasingly clear during the simultaneous development of the ASEAN Charter, which has also revealed important divisions between the organization’s older and newer members.

The drift towards critical disengagement starkly illustrates the demise of non-interference, since from 2005 Washington has sought a UN Security Council (UNSC) resolution against Burma. In an unprecedented intra-ASEAN move, the Philippines supported the tabling of this resolution. When Burma asked for ASEAN’s support at the December 2005 summit, Secretary-General Ong revealed that it was told, “ASEAN has lost the credibility and ability to defend Myanmar.” Suu Kyi’s continued detention was a “slap in the face of ASEAN,” and Malaysia, Indonesia, Singapore and the Philippines had lost patience with the regime.⁹¹ The summit’s communiqué praised Indonesia’s handling of the Aceh situation, where EU–ASEAN monitors had helped implement a peace settlement, as “a model for cooperation between ASEAN Member Countries in conflict resolution as provided for by the ASEAN Security Community, as well as a model for cooperation between regions,” before pointedly turning to Burma’s uncooperative stance. ASEAN “noted the increased interest of the international community on [*sic*] developments in Myanmar. In this context,” Burma was essentially offered a final chance to cooperate, with Syed Hamid dispatched as ASEAN’s envoy to “learn first hand of the progress” on the SPDC’s “road map.”⁹²

Syed Hamid bluntly stated the regime had to make some progress and allow him to meet Suu Kyi. “Otherwise we would lose our credibility . . . If they want us to speak on their behalf then we need ammunition.”⁹³ But Burma snubbed Hamid for four months, citing its preoccupation with relocating its capital – the sudden announcement of which had merely underlined its growing estrangement from ASEAN. Indonesian President Yudhoyono visited in the interim, urging Burma to move towards democracy and accept Aceh-style regional monitors.⁹⁴ When Syed Hamid was finally allowed to visit in March 2006, access to Suu Kyi was denied, and he angrily proposed ASEAN effectively abandon Burma. “We told Myanmar, ‘you talked about us helping you but how can we when you don’t give us any ammunition[?]’ . . . Maybe Myanmar will change if we leave them alone.”⁹⁵ Yeo agreed, arguing that since ASEAN was “in no position to affect the course of [Burma’s] internal development . . . we have to distance ourselves . . . if it is not possible for them to engage us in a way which we find necessary to defend them internationally.”⁹⁶ Inverting ASEAN’s traditional goal of excluding great powers from regional politics, Indonesia and Secretary-General Ong urged China and India to take over, with Ong suggesting that “most of ASEAN

believe that Myanmar authorities can only move forward if you have certain leverage applied on them.”⁹⁷

Syed Hamid publicly vented ASEAN's frustration in a *Wall Street Journal* editorial just before the 2006 AMM, entitled “It is Not Possible to Defend Myanmar.” Underlining the conditional nature of ASEAN's support for Burma and the practice of non-interference, he explained ASEAN had only “stood together with Myanmar to endure international criticism because we were assured that a ‘step-by-step’ transition process was in place.” The “majority of ASEAN members” now felt Burma's intransigence was “putting into question ASEAN's credibility and image,” denying it the “maximum benefits” of cooperation with dialogue partners by holding external relations “hostage.” ASEAN was “aware of – and sensitive to – international pressure.”⁹⁸ Seizing on Burma's agreement to permit a visit by Ibrahim Gambari, the UN's new Special Envoy, he concluded that “Myanmar does not want us to stand with them . . . it is best that it is handled by the UN.”⁹⁹ Ong agreed: “ASEAN has lots of other things to do . . . almost 99 per cent are other than Myanmar. But now Myanmar seems to be always there and ‘clouding’ [*sic*] the other issues out of the way.”¹⁰⁰ ASEAN expected Burma to “be more responsive to the damage done to ASEAN by the Myanmar issue,” rather than “digging in and maintaining that they should not be subjected to ‘pressure from ASEAN or anybody else’.” ASEAN foreign ministers felt they had “been taken for a ride . . . they are not getting what they want, and they are really ‘losing their patience’.”¹⁰¹

The 2006 AMM thus urged Burma to generate “tangible progress that would lead to peaceful transition to democracy in the near future” so that Myanmar could “effectively engage the international community.” Despite pledging to “remain constructively engaged as required,”¹⁰² ASEAN refused to defend Burma internationally, leaving it to Cuba as Chair of the Non-Aligned Movement (NAM) to protest when Burma was placed on the UNSC agenda,¹⁰³ with Indonesia saying ASEAN would not support Burma if the resolution passed.¹⁰⁴ The last obstacle to critical disengagement was soon removed by the overthrow of Thaksin by military officers close to the Democrats. Bangkok immediately joined Singapore and Manila in breaking from a NAM campaign against country-specific human rights resolutions to merely abstain on Burma when the issue was pushed to a vote for the first time in November 2006. Indonesia explained its negative vote only with reference to the NAM campaign, stating it “shared the concerns” of the EU's draft, which passed 79 votes to 28, with 63 abstentions.¹⁰⁵

Significantly, however, the Indochinese states voiced their opposition by voting against the resolution. Since they had not publicly defended Burma before, this revealed for the first time the internal divisions on this issue within what many commentators now see as a “two-tier” ASEAN. The Indochinese states are warier of Western interventionism, and the available evidence suggests their attitude has impeded ASEAN taking a firmer collective stance. This is clear when we turn briefly to the process of the drafting of the ASEAN Charter, which took place alongside the drama at the UN in 2006.

As one ASEAN official noted, the Charter was designed to “govern everyone, but the Myanmar issue was the trigger.”¹⁰⁶ For the older members, the thinking behind the Charter, which sought to create legally binding rules for the Association for the first time, clearly illustrated the way in which ASEAN's travails with Burma had led to growing acceptance of Surin's predictions that the financial crisis would necessitate changes to ASEAN's

normative framework to safeguard its collective interests. The drafting group's Malaysian chairman remarked that "where anything that is happening within the borders of a sovereign nation is perceived to have any negative effect on the collective interest of the community . . . then . . . – it seems to be the consensus now – it would be, and should be, made a concern of this community."¹⁰⁷ Malaysian Prime Minister Abdullah argued that given the "impact on the image and credibility of ASEAN," everyone should accept that

community interests would prevail over national interests on issues affecting the community. We must find a formula where the larger community interest should never become subordinate to the veto of only one or a few members. There must be adherence, by community members, to a common set of community values . . . Topping the list of values must be acceptance of good governance in our respective countries and societies.¹⁰⁸

Burma's behavior had "subjected the . . . principle of 'non-interference' to much debate and discussion," since non-interference had "mainly caused the problem[s] ASEAN has [had] in trying to engage Myanmar." Echoing Surin, Abdullah suggested it "might require refinement, especially in the face of the onslaught of globalization," explicitly citing, at Arroyo's request, Malaysian intervention in the southern Philippines as an example of "indigenous peacebuilding" on which to base ASEAN's future development.¹⁰⁹

Abdullah's remarks do not mean ASEAN has not interfered in Burma's affairs. Rather, they hint at the difficulties in developing a coherent ASEAN policy towards Burma when non-interference was technically retained as a regionwide norm despite Surin's earlier challenge. While other core members appear to accept the need for change, ASEAN's newer members appear to see less imperative for liberal reforms. Having more painful memories of Cold War interventionism, having suffered considerably less from the financial crisis given their economic underdevelopment, and facing less domestic criticism, formally relaxing ASEAN's norms, rather than violating them on an ad hoc basis, is seen as yielding more risks than benefits. This has provided de facto allies for Burma as when, for instance, the Indochinese states joined Burma in twice threatening to walk out of the Charter drafting process over the issue of the proposed regional human rights commission. Attempts to introduce voting systems and sanctions for non-compliance to replace decision-making by consensus also faced strong opposition, such that the final draft granted only the leaders' summits the power to bypass consensus.¹¹⁰ President Arroyo has repeatedly expressed her disappointment with the outcome, claiming her Senate will not ratify the Charter unless Aung San Suu Kyi is released. Liberal legislators controlling Indonesia's Committee I on Foreign and Security Policy (and thus exercising institutional power disproportionate to their numbers) have also expressed reservations on the Charter's human rights aspects.

It is important, however, not to overstate these divisions so as to blame the Indochinese states entirely for the limits to ASEAN's normative shift. Perhaps more significant is that liberal forces favoring more interventionist policies remain relatively weak even in ASEAN's original members. As discussed earlier, the AIPMC have played a subsidiary role only with the permission of ASEAN's dominant elites, who are principally motivated by Burma's impact on the region's economic and diplomatic standing, rather

than by shared concern with liberals over democracy and human rights. Arroyo's grandstanding on Burma arguably represents an attempt to burnish her own dubious democratic credentials at home, where she has faced sustained attempts to remove her from power. Thailand, quite apart from its recent spell of military rule, has consistently sought to keep its restive southern provinces off the ASEAN agenda. Singapore allowed ruling-party MPs to criticize Burma during the "Saffron Revolution," but arrested opposition activist Chee Soon Juan. Malaysia signed a Charter referring to human rights and democracy while deploying tear gas and water cannon against rallies calling for democratic reforms at home in November 2007.

One reason why this article has not dwelt on what liberals deem Burma's security externalities, such as flows of drugs, refugees, and diseases, is because ASEAN's ruling classes generally do not share these security perceptions. When the Security Council finally voted on Burma in January 2007, Indonesia, then a non-permanent member, abstained. Despite claiming that ASEAN shared the goal of democratizing Burma and pledging to "do everything in our power . . . to bring about positive change in Myanmar," Jakarta insisted that ASEAN did not perceive Burma as a security threat.¹¹¹ AIPMC members do see Burma as a threat to international security, but report that, for instance, Burmese immigrants cause little domestic political concern, being seen as law-abiding workers who take jobs that locals do not want. For ASEAN's powerful business classes, Burmese refugees are a positive boon, constituting a vast supply of exploitable, low-wage labor: NGOs report that Burmese labor was even used to construct Malaysia's federal capital at Putrajaya.¹¹² Thailand, which receives the vast bulk of Burma's externalities, declared them a security threat only during the Democrats' liberal interlude. By contrast, when the business class is in power, as is usually the case, its perceptions predominate. While the Democrats had identified drugs as Thailand's principal security threat and launched raids across the border, Thaksin initiated a *domestic* "War on Drugs" directed at eliminating Thai drug dealers (and Thai Rak Thai's own enemies) which was extremely popular, despite the isolated protests of liberal activists, pacifying the border and facilitating expanded cross-border trade.¹¹³ Negative externalities fall mostly on poor communities near the Thai border whose opinions sadly count for little. Even the National Security Council's concerns that an estimated five million Burmese refugees "will explode with discontentment or with anger if we keep on exploiting them like this" fail to persuade the political elite to take action.¹¹⁴ The latter usually only experience externalities from SPDC misgovernance indirectly, in a way that reinforces their primary concern for their international "credibility." Thaksin criticized Burma only when the US-Thailand Free Trade Agreement was at risk. Likewise, the latest round of US sanctions targeted SPDC crony Teza, whose Air Bagan planes allegedly brought money regularly to Singapore for laundering. To defend its standing in international financial markets from the threat of secondary sanctions, Singapore has quietly withdrawn its banking facilities and no longer accepts Air Bagan flights.¹¹⁵

This helps explain why ASEAN does not take a more forceful approach and has instead sought to transfer responsibility to the UN, feeling its options have been exhausted. Since the UNSC vote, ASEAN has continually stressed its support for Gambari's missions to Burma, emphasizing UN ownership of the issue. When violence

erupts in Burma, ASEAN now issues harsh condemnations, stating it was “appalled to receive reports of automatic weapons being used” against demonstrators in the so-called Saffron Revolution in late 2007, “demand[ing] that the Myanmar government immediately desist.” This was also reflected in ASEAN governments’ bilateral protests and voting behavior at the UN. However, having “expressed their revulsion” to Burma, emphasizing the “serious impact on the reputation and credibility of ASEAN,” and insisting progress be made towards national reconciliation, they underlined their support for Gambari and the UN as the main agents of mediation.¹¹⁶ This seems to be the only consensus position the Association can reach. This angers NGOs and liberal AIPMC members, who demand that ASEAN “take responsibility” for Burma, but unlike in Western states these voices carry little force and are unable to compel their governments to take more forceful action. Critical disengagement is the lowest common denominator among countries whose only real interest in interfering in Burma is to avoid the external political repercussions of not doing so.

Indeed, Indonesia has recently staked a claim to leadership on the Burma issue by stressing its *lack of interest* in the country. Yudhoyono has apparently seized on Burma as a means of reasserting Jakarta’s claim to regional leadership, lapsed since the financial crisis, and as a way of salvaging his disappointing personal record. His 2006 trip to Burma yielded few concrete results, and after the UNSC vote Yudhoyono unsuccessfully proposed an ASEAN Troika mission involving Indonesia, Singapore and the Philippines.¹¹⁷ After the “Saffron Revolution,” Yudhoyono appointed General Agus Widjoyo and Ali Alatas his special envoys to Burma, explicitly hoping to revive Indonesia’s glory days as a leading player in the Cambodian peace process. Alatas, arguing that both the West and ASEAN have failed, suggested Indonesia as “the country with the least material motive” with “good relations with Myanmar” may make a breakthrough where others like Singapore and Thailand have failed.¹¹⁸ Indonesia has also been engaging China and India at the UN, following initial probes by Jakarta’s Center for Strategic and International Studies.¹¹⁹

The problems caused by Singapore’s attempt at the November 2007 East Asia Summit (EAS) to move ASEAN beyond the minimalist consensus of critical disengagement suggests Jakarta’s efforts are unlikely to succeed. Singapore tried to substantiate ASEAN’s backing for the UN and draw in China and India by inviting Gambari to brief the summit. Yeo has also held talks with Chinese officials while the AIPMC has also carried out quiet consultations.¹²⁰ However, consensus had clearly not been reached prior to the summit, since China declared it would boycott the briefing, creating an opening for Burma to reject the invitation after initially appearing to accept it. Some ASEAN states, reportedly including Thailand (where the business class has yet again returned to power via Thai Rak Thai’s successor, the People Power Party, effectively resulting in a return to Thaksin’s earlier policy), Malaysia and Indonesia, were also wary of allowing the Burma issue to intrude on the one part of the regional architecture currently free of this albatross. Attempts to shift the briefing to the ASEAN Summit prior to the EAS also faltered: talks ended at midnight with Burma’s Prime Minister walking out, having apparently threatened to scuttle the ASEAN Charter altogether by refusing to attend the summit, where it was due to be signed. ASEAN’s other leaders flanked Singapore’s Prime Minister at the press conference where he

reported Burma's position and the view expressed by "most leaders . . . that Myanmar could not go back or stay put."¹²¹ Their presence may have served merely to help Singapore save face, rather than expressing Burma's total isolation on the issue: when Gambari later met ASEAN foreign ministers, those of Vietnam, Laos and Cambodia were absent, with the envoy planning to travel to those countries separately.¹²² Singapore's bruising experience suggests attempts to exercise leadership on the Burma issue will remain constrained by the limits of consensus.

However, there are also limits to the extent to which ASEAN can simply disengage from Burma altogether: events keep pushing the Association back in. Cyclone Nargis struck in May 2008, after this article first went to press. The SPDC's callous refusal to permit any foreign aid into the affected region attracted the full force of Western fury and doubtless the angry despair of ASEAN's frustrated core states. Despite the usual criticisms of ASEAN's adherence to non-interference, the Association in fact dispatched an Emergency Rapid Assessment Team, whose report, while couched in less condemnatory language than that used in the West, nonetheless clearly insisted Burma should open up to external assistance. Mediating between the junta and the West, ASEAN secured the acceptance of non-politicized aid. A Special AMM on May 19 called on Burma to "allow more international relief workers into the stricken areas," empowering Surin Pitsuwan, ASEAN's new Secretary-General, to head an ASEAN Humanitarian Task Force charged with facilitating the distribution of aid, including foreign personnel.¹²³ ASEAN organized an international pledging conference in Rangoon a week later and member states sent more than \$8m in aid in cash and kind.

The response to Cyclone Nargis reflects the trends identified above. Singapore's Prime Minister Lee Hsien Loong hinted at intramural tension, a "crisis" that "tested ASEAN's unity," but ultimately the international pressure for action meant that disengagement was not a viable option: "Just as we could not ignore political developments in Myanmar, neither could we stand aside from this humanitarian crisis." ASEAN's "important role in bridging the gap of trust between the Myanmar government and international organizations . . . facilitated the flow of emergency aid," and while "far from perfect . . . the situation is clearly better than if ASEAN had not intervened to persuade Myanmar to cooperate with the international community."¹²⁴ Indeed, ASEAN has paraded its interventionist stance, with Surin criticizing Burma for not admitting foreign media who could report that ASEAN "came in full force," arguing that ASEAN was "being baptized by Cyclone Nargis" and was "ready to take on responsibility."¹²⁵ Yet while it is clear that non-interference was once more set aside, given the factors identified above, Surin's remarks are probably wishful thinking. ASEAN has "urged Myanmar to take bolder steps," release Suu Kyi (mentioning her by name for the first time in a joint communiqué) and offer "full support" to the UN's mediation, but even if it could overcome the challenges of leadership and consensus, ASEAN's options would remain tightly constrained.¹²⁶

Conclusion: What Next for ASEAN and Burma?

This article has argued that ASEAN's Burma policy has never simply been strict non-interference. From the beginning, CE implied efforts to liberalize Burma's economy

and polity, albeit in a relatively conservative direction, tying ASEAN's standing to its ability to promote this internal change. ASEAN's support for Burma was always conditional and its patience has been virtually exhausted. It has persistently sought a greater role in Burma's internal affairs, but run into blunt opposition from the SPDC, resulting in an increasingly exasperated, critical disengagement. "Non-interference" has played a flexible role, being used to justify ASEAN's "quiet diplomacy" but also being wielded by Burma to reject all external influences; its anti-imperialist connotations ensure Burma is never quite alone in viewing its erosion with concern. However, it is now clear that core ASEAN governments do not subscribe to absolute non-interference. Rather, their policies towards Burma are shaped by their own ideological conservatism and their fear of the disorder and instability that might arise from any sudden change.

This becomes very clear when asking what ASEAN might usefully do next. Caution remains the watchword. ASEAN leaders now openly state that the status quo in Burma is unsustainable, claiming to fear that SPDC misrule may "Balkanize" Burma, the externalities of which would be serious enough to concern them; yet the military's removal would lead to "Iraq-type anarchy" inviting intervention by India and China.¹²⁷ Yudhoyono, whatever he hopes to achieve, cautions that Burma's "reforms should not be applied by revolution . . . the process of democracy must maintain Myanmar's territorial integrity."¹²⁸ Pro-democracy groups have scorned ASEAN's concerns, but they echo earlier fears around Indonesia's tumultuous transition to democracy and reflect the absence of any sufficiently organized political force among the remarkably fragmented Burmese opposition capable of seizing power.

ASEAN elites feel, not without some justification, that liberal opponents ignore this dilemma when calling, for instance, for Burma's expulsion from ASEAN. As Ong Keng Yong remarks, Burma would simply "walk away . . . the Myanmar guys are quite happy to be left alone. They are not afraid of being isolationists . . . they can just shut their door and go into hibernation."¹²⁹ NGOs and some Western states sometimes suggest ASEAN implement sanctions, highlighting that over half of Burma's exports go to ASEAN while Thailand and Singapore supplied 92 per cent of Burma's foreign investment in the last two years.¹³⁰ However, this is a willful inversion of the direction in which dependency runs. Since the financial crisis, Burma has received hardly any foreign investment, and most ASEAN firms encouraged there under CE have made severe losses and withdrawn. Total investment for 2005–07 was \$6.195bn, of which \$6.034bn was a single Thai investment package in natural gas extraction in 2005–06. Discounting this one-off occurrence, average annual investment since 2003 has been a paltry \$57m.¹³¹ Thailand depends on gas for 70 per cent of its energy and gets around a third of it from Burma.¹³² While Western nations had few interests to sacrifice via its mostly symbolic sanctions on Burma (and what interests did exist, such as investments by Total and Chevron, are exempted from sanctions), it is extremely naïve to expect Thailand to sabotage its own economy by following suit. Moreover, all Asian governments are opposed to the use of sanctions, arguing they only harm the poor. As Cambodia's Prime Minister remarked, "They will not make the leaders of Myanmar die, but will lead to disaster for the civilian population."¹³³

In fact, ASEAN faces a distinct lack of options. ASEAN elites frequently complain that Western policymakers demand that ASEAN "do something," but fail to offer any

concrete suggestions. Likewise, Gambari's demand for "concrete support" from ASEAN is not supplemented with any detail as to what this should actually look like, suggesting a dearth of ideas at the UN also.¹³⁴ The best contribution ASEAN can see itself making is in cobbling together more cross-regional support for the UN by engaging India and China. This will not be easy. India needs Burmese cooperation against cross-border insurgents, and has told the AIPMC it cannot move against the SPDC before China does for fear of alienating the regime. India has recently urged Burma to make political progress, yet economic cooperation remains on the agenda. China, Burma's predominant source of military aid, is being pushed by Singapore to substantiate its desire for international respectability by taking a principled stand. However, China's behavior before the EAS undermined its prior claims that it would back "constructive" moves by ASEAN. Chinese legislators explain their main fear is opening the door for criticism over Tibet, which recent events have done nothing to dampen.¹³⁵

China's caution also undermines those claiming that pressure from Beijing was behind the SPDC's constitutional referendum in May 2008, to be followed by multi-party elections in 2010, which have been greeted with some skepticism in ASEAN capitals, along with demands for Suu Kyi's inclusion. This development is better explained as a reaction to the Saffron Revolution, which was unusual precisely because it was the first time Burmese people have acted *en masse* to demand political change since toppling the previous regime in 1988. Razali Ismail suggests Suu Kyi's emphasis on passive, non-confrontational methods of resistance and reliance on external pressure has merely facilitated SPDC divide-and-rule strategies, demobilized the population and precluded a Ceausescu-type moment where "there are not enough bullets" to put down a revolt.¹³⁶

External developments cannot bring about change in Myanmar. The job cannot be done by parties outside. For any true-blue translation of society or country . . . they must have elements within the country willing to do certain things. I'm not talking about a revolution, but there must be internal elements willing to do things.¹³⁷

The clear implication of Razali's analysis is that although ASEAN might, through painstaking diplomacy, usefully gather greater Asian support for the UN process, this will only be meaningful if external pressure is coupled with concerted internal activity. Gambari implicitly expressed this recently in urging the NLD to "grab" any opportunities offered by the SPDC, but Burma's opposition groups called for a "No" vote in the referendum. In the event, the opposition unsurprisingly proved too weak to block the constitution's adoption or impose any alternative. The resultant constitution is clearly designed to re-trench the regime in what the SPDC calls "disciplined-flourishing democracy." However, the NLD's consistent abstentionism amounts to a boycott of politics. Demands for foreign intervention are unlikely to bear any fruit. To stand a chance of influencing Burma's political future, the NLD will either have to work within the constraints imposed upon it and contest the elections on uneven terrain, or seek to mobilize Burma's population against the regime, this time decisively—although it is

unclear whether it possesses this capacity. Much as they might fear such social unrest, one NGO leader suggests frustrated ASEAN policymakers implicitly accept the need for it, telling her privately that they wished the Burmese would “just rise up and behold their leadership, because that would solve the problem for us” or even “bomb the War Office or something.”¹³⁸ Whatever ASEAN can manage internationally will only acquire meaning if Burma’s opposition is willing to compromise with the SPDC, or to muster the concerted social force required to displace it.

NOTES

1. “Myanmar’s Monsters,” *The Economist*, February 29, 1992. All newspaper and magazine references sourced from www.lexisnexis.com except where otherwise indicated.
2. “Japan, Vietnam, EU agree to find ways to resolve ASEM row,” *Kyodo*, July 2, 2004.
3. “ASEAN mired in Burma quagmire,” *The Nation*, November 21, 2007.
4. Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (London: Routledge, 2001); Jürgen Haacke, *ASEAN’s Diplomatic and Security Culture: Origins, Development and Prospects* (London: RoutledgeCurzon, 2002).
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