The ASEAN “Crack”: Myanmar Conflict as The Warning Sign of Peace Stability in South East Asia Region

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Abstract

ASEAN currently facing a real strive to deal with their own internal humanitarian and peace stability related to the case of Myanmar conflict. This condition has put other ASEAN members in quandary to conduct a prompt and precise solution to bring back peace in Myanmar. This article examines the potential crack in the “ASEAN way” principle which is related to the various conflicts inside the region. Moreover, it also endorsed two possible proposals which can be considered to strengthen the role of ASEAN to take action towards their member states. The latest conflict inside Myanmar between military and democratic groups showed the warning sign that something is not working well within the system of ASEAN as a regional organization. This article investigates the potential crack that ASEAN has in their basic principle which harms the future peace stability within the region. The writer argues that the conflict in Myanmar has become a symptom that ASEAN must revisit their basic principle and reorganize their strategy to deal with potential conflict that might occur in the future.

Keywords: ASEAN, Democratization, Humanitarian, Myanmar Conflict, Peace Stability.

Abstrak

ASEAN saat ini sedang berusaha menangani stabilitas kemanusiaan dan perdamaian internal mereka sendiri terkait dengan kasus konflik Myanmar. Kondisi ini membuat anggota ASEAN lainnya kebingungan untuk menemukan solusi yang cepat dan tepat guna mengembalikan perdamaian di Myanmar. Artikel ini mengkaji potensi retakan pada prinsip “ASEAN way” yang terkait dengan berbagai konflik di dalam kawasan. Selain itu, juga mengesahkan dua kemungkinan proposal yang dapat dipertimbangkan untuk memperkuat peran ASEAN untuk mengambil tindakan terhadap negara-negara anggotanya. Konflik
terakhir di Myanmar antara kelompok militer dan demokrasi menunjukkan bahwa ada sesuatu yang tidak berjalan dengan baik dalam sistem ASEAN sebagai organisasi regional. Artikel ini menginvestigasi celah potensial yang dimiliki ASEAN pada prinsip dasarnya yang membahayakan stabilitas perdamaian di kawasan. Penulis berpendapat bahwa konflik di Myanmar telah menjadi gejala bahwa ASEAN harus meninjau kembali prinsip dasar mereka dan mengatur kembali strategi mereka untuk menghadapi potensi konflik yang mungkin terjadi di masa depan.

**Kata kunci:** ASEAN, Demokratisasi, Humaniter, Konflik Myanmar, Stabilitas Perdamaian

**Introduction**

ASEAN has performed a great leap to deal with global demand since they were founded. When it was established in 1967, ASEAN was formed by the five foreign ministers to deal with the external threat during the Cold War. By this time, ASEAN has countered many challenges to maintain their stability and encourage their member states to have awareness towards cooperation in many areas of interests such as economy, politics, security, and culture. Furthermore, expanding their member states from 5 to 10 and establishing ASEAN sub-diary focus group platforms such as ASEAN Regional Forum (ARF) is the fact which shows that ASEAN has progressed for more than fifty years. ASEAN has grown to adjust with the global demand for an integrated system by designing the ASEAN community in 2015 which covers three different focuses: political security, economic integrity, and sociocultural. All these moves have changed ASEAN into a complex organization which makes them one of the most important players in international arenas (Yukawa, 2018). However, this work to adapt to globalization is not enough if only to create many international forums and agreements. As ASEAN basic principle of non-interference will always become a “crack” when there is an internal conflict within member states. The current conflict in Myanmar has become a clear signal which shows that the non-interference principle has become contra-productive with the ASEAN’s objective to conduct effective stability and security within the region. ASEAN non-interference principle will always be contested and induced to look inside their own body and inspect their “crack” that might be undermining their existence in the future.
ASEAN in the global era is facing a great challenge to nurture stability within the region. The threat is coming not only from the outside but also among their member states. As Douglas McArthur, a US General Army says “Beware not the enemy from ‘without’ but enemy from ‘within’”. The concern of internal issues is related to the upheaval of the Myanmar issue which started from the military coup and ends up with humanitarian violence. A bunch of critics aimed at this organization for the failure to come up with any significant initiatives to halt violence towards civil society in Myanmar. The urgency to halt ferocity in Myanmar is decisive as if this condition is allowed to dissolve and the crisis worsens, it might trigger multi-layer crises at once such as abundant of refugees fleeing the country, drug trafficking, worsening pandemic and slow down the economic recovery in the region (Alexandra & Laksmana, 2021).

This criticism is inseparable from their obstacle to getting an intervention to their member states which is called the “non-interference” principle. For many years, ASEAN came up with a unique approach to construct their basis of organization which is called “ASEAN WAY”. The term “ASEAN WAY” refers to a set of rules in ASEAN which includes procedural norms such as consultation/consensus (Musyawarah) to put forward before the decision-making process. Related to this characteristic, the norms have no doubts about the sovereignty of member countries in general. Moreover, the principle of non-interference and consensus are two elements that are always upheld by all (Yukawa, 2018).

This article is intended to contribute to the field of ASEAN framework which analyses non-interference principle concerning the Myanmar conflict. The first section of this article will discuss the ASEAN non-interference principle as the basic value of the members of countries and how this principle might be the potential “crack” for the ASEAN moves to deal with the future challenge. The second part will examine the sequence of conflict in Myanmar from their membership dilemmas to humanitarian violence. The last part will put the spotlight on the analysis related to the question of whether the non-interference principle is still relevant for ASEAN to deal with current challenges.

**ASEAN “Crack”: Non-interference Principle**

Since they were founded in 1967, ASEAN fundamental value is defined as consensus-based decision-making and non-interference in the internal affairs of member states (Heller, 2005). These basic values indicated how ASEAN put sovereignty of member countries as a central concern within this organization. The basic norms were extracted from their experiences with colonialism and the Cold War. The intention for
freedom and independence drove ASEAN member states to put all forms of intervention away from their regional organization.

Non-interference principle can be found in ASEAN document from Treaty of Amity and Cooperation (1967) in article 2:

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

Heller (2005) mentioned that these principles can be grouped according to three higher principles: 1-3 non-interference domestic affairs, 4-5 renunciation of the use of force, and 6 cooperation. From these basic norms and principles, it can be seen that ASEAN puts non-interference principle in the high-level priority and the way to solve any conflict and dispute must be through consensus and dialogue which is popularly called the ASEAN Way.

Narine (2003) explained that the root of decision-making approach in ASEAN is close to the Malay cultural practice in village communities. This cultural approach is based on consensus and dialogue (Musyawarah) to solve a problem. Goh (2003) said that the set of beliefs and norms can be examined within socio-historical context. The way of politics in Southeast Asia can be reflected to a large extent to be personalistic, informal and non-contractual. Southeast Asian people has a different approach of law compared with West which might introduced “rational bureaucracies”. During colonization, most of the states in Southeast Asia were ruled by small elite groups using patronage networks. This condition led to the institutionalizing a highly elite and informal political culture (Goh, 2003). The traditional polity was altered into a form of political approach called “bureaucratic politics”. In this sense, even until today the social etiquette embedded within the bloodstream of Southeast Asian people.

Non-interference principle as the ASEAN norms and culture has been debated for a long period. For the supporters of “ASEAN values” used the arguments of neo imperialist agenda masked by rhetoric of human rights. They also concerned about the Asian economic should protected behind the their own political, cultural and economic perspectives. Moreover, they believed that human rights would be best protected by regional, rather than global arrangements (Narine, 2012). Indeed, this argument cannot
be denied in the period of cold war where two super power countries were competed to influence other countries with their ideology. Yet, in recent years, as the conflict emerged in Myanmar, ASEAN non-interference principle was accused as the culprit for unresponsive action to cease humanitarian violation and military coup. The decision-making process considered time-consuming, slow and infective to set well defined goals of solution (Cuyvers, 2019). In this sense, the principle of non-interference in internal affairs makes it difficult to deal smoothly with conflicting issues that cross borders (Yukawa, 2018). ASEAN was not designed to deal with emergency issues related to internal conflict. Member countries in this position have a little influence to push other members to conduct immediate action to halt violence towards civil society. As the ASEAN charter calls on members to respect freedom and democracy, it has little muscle to respond to the problem when the movement of anti-democracy emerges on the table.

In order to respond to international criticism, ASEAN’s policy prefers to conduct constructive engagement to deal with many conflicts and disputes among their state members. Acharya (2014) explained that the essence of constructive engagement was to refrain from any action against the conflicted country that can embarrass and isolate them. ASEAN prefers to embrace by conducting dialogue on the table by inviting all member countries. Furthermore, this approach aimed to anticipate external region intervention, specifically western countries in ASEAN member internal affairs. Through constructive engagement, ASEAN shows that they cherished the attributes of a security community rather than democratic security community (Acharya, 2014). However, Acharya (2014) also explained that a basic irony of ASEAN’s policy of constructive engagement was that it could not be considered as a firm non-interference principle. He believes that if ASEAN strictly implemented a fundamental principle of non-interference, it would have meant ASEAN taking no action and letting Myanmar solve their internal issue. As Indonesia and Malaysia in recent situations call for a special summit to discuss democratic and humanitarian issues in Myanmar, they have been exceeding their basic principle. This condition should go further by circumventing the consensus mechanism during the meeting to assure that leaders of the member states can stand with an essential proposal to end the riot (Bayuni, 2021).

Myanmar Military Coup as Warning Sign (ASEAN Special Meeting on Myanmar)

The Myanmar crisis was escalating on the 1st February 2021. The military junta overthrew the legitimate government and seized power after detaining Suu Kyi, the president Win Myint, and many other high-level officials of the ruling party National League for Democracy. The military faction accused the election held on November 8th was a fraud in which the NLD had won 83 percent of available seats. The Commander in
Chief Gen. Min Aung Hlaing took power and declared emergency conditions for the state. The situation worsens by the pro-democracy protest wave that took to the streets in Myanmar’s major cities (“Thousands protest Myanmar coup after a night of fear, security patrols,” 2021). The military used a repressive approach to quell a burgeoning civil disobedience protest demanding a return of democratic leader Aung San Suu Kyi. Currently, more than 570 people reported have been exterminated by the police and soldiers during the protest (Abueva, Dios, Kalibons, & Awal, n.d.).

In response to this condition, initiatives came from the Indonesian and Malaysian governments who called for ASEAN special meeting to discuss the most crucial objective, humanitarian break. President Joko Widodo and Prime Minister Muhyiddin Yassin expressed their concerns urging other ASEAN member states to hold a meeting and have instructed their foreign ministers to bring up the issue to ASEAN Chair, Brunei Darussalam (SHOFA, 2021). The first meeting initiative was an informal ASEAN ministerial meeting on March 2nd held in virtual. While the conference did not bring a progressive situation as the protester still met with violence and the number of casualties upsurge, Indonesian Foreign Minister Retno Marsudi reconvened. The worsening situation then forces President Joko Widodo to call Brunei’s Sultan Hassanal Bolkiah as the ASEAN chair to propose offline meeting leaders in the region to show strong commitments to resolve this dire situation (Septiari, 2021a).

The meeting was held in Jakarta nearly three months after the first Myanmar military coup on February 1st. This meeting is essential to provide a clear signal that other ASEAN member states at least respond to the precarious situation in Myanmar. For ASEAN, the summit is one more take a look at its institutionalized “legal personality”. The Association of Southeast Asian Nations Charter and its sprawling establishments have given the cluster ways in which to revolve around a retardant by discussing “agreeable”, unclassified subjects till everybody forgets what the important issue was. In alternative words, one creates the impression of doing one thing while not achieving a lot by invoking Association of Southeast Asian Nations establishments (Alexandra & Laksmana, 2021). As Rizal Sukma (2021) said, ASEAN may not be in a position to offer an immediate solution to the Myanmar crisis, but it must find ways to prevent the crisis from turning into a humanitarian catastrophe. He believes that if the crisis is getting worse the leaders at least need to find ways to halt the killing at the least. Today, the world set eyes on ASEAN to resolve the Myanmar crisis by their consensus mechanism. The aim of the summit was clear, to halt the ferocity and violence towards civil society in Myanmar. The leaders are expected to set priority on the safety, security, and protection of the people of Myanmar’s basic human rights. Moreover, the forum also needs to assure that Myanmar Junta must commit to opening up the door for
humanitarian assistance, including in the mobilization of supplies and medicine including Covid-19 vaccines, for people in Myanmar (Septiari, 2021b).

The crisis in Myanmar has shown that something is not working well within ASEAN system to prevent conflict between internal member countries. Even the summit was successfully held in Jakarta to gather leaders of ASEAN members to discuss the situation in Myanmar, yet we have to admit that it is not the right way to solve every conflict by only gathering the leaders. It sends a clear warning sign that ASEAN as a regional organization should revisit its consensus mechanism and non-interference principle on their revision priority. There should be an effective and efficient system to prevent a similar potential conflict in the future. It is about conflict management that every ASEAN member should realize that there is always a potentially similar case that might occur in the future. As humanitarian and democratic principles are two basic values that need to be preserved and fought for, it needs a bold step to create a transformation for ASEAN to deal with a different challenge in the future.

**Patch Up the ASEAN Crack**

ASEAN should play a central role to bring back peace and civil law in Myanmar. However, there is not much that can be done if ASEAN has always been blocked with their mechanism and system to resolve conflict with their internal members. The non-interference principle has been a crack within the ASEAN system for having a bold move to prevent conflict and reach an effective consensus between member states.

The special meeting that has been held in Jakarta may be fruitfully gathering the leaders from ASEAN member states to discuss the situation in Myanmar, yet if the summit fails to address the crisis in a meaningful way, then there is little reason to expect ASEAN moving forward without remodelling their mechanism (Alexandra & Laksmana, 2021). Purba (2021) argues that a gathering of a couple of hours conducted amid the COVID-19 pandemic is going to be unable to alter the mind of a military general who has prepared himself for years to become absolutely the leader of the state. Myanmar’s military is not concerned about the world’s condemnation yet their wealth and bank accounts. The summit nowadays can unlikely manufacture any miracles, but reform of ASEAN consensus mechanism might bring different results. ASEAN members should consider other strategic options without being constrained by non-interference principles. The member states should ensure the interest of bringing back democracy and humanity to Myanmar is the top priority (Alexandra & Laksmana, 2021).

The states of the democratic base inside association may forge new understanding among them, enlarge their cooperation and trust to higher levels, offer the new initiatives that even though the autonomous and independent format of ASEAN
basic institutional value, may also encourage the bloc a much-needed jolt eventually (Simone Galimberti, 2021). There are two options offered to reorder the ASEAN mechanism to resolve conflict within the member states. First, it could be a new trilateral in which the leader of three democratic nations (Indonesia, Malaysia, and Singapore) can put forward a different vision of regional integration. In the special meeting initiated by Indonesia and Malaysia governments, they could come up with a real regional mechanism that provides a blueprint for other member states in the matter of human rights and democracy. Simone (2021) believes that if these three countries propose this new strategic partnership, they will not be abandoning the foundational ties that led to ASEAN’s basic principle, but rather showing the right vision and political will. This arrangement will allow member states to remain committed to the basic charter but take benefits of its limitations.

The other proposal that is valuable to be considered is “ASEAN Minus-X”. This formula enables ASEAN member states to circumvent the requirement for a full member agreement in consensus. The leaders of ASEAN member states are legitimate to make decisions by voting in a situation related to conflict or dispute. Through this mechanism, ASEAN is able to decide and take rapid action towards any country that has a conflict that causes a humanitarian catastrophe or military coup. The mechanism has been agreed to use in economic affairs, and it is worth extending to include more specific issues related to security issues. Emmers (2017) explained that the A-X formula can be applied to provide preventive diplomacy which refers to the actions undergone by sovereign state nations to prevent an inter-state dispute or internal state conflict from escalating armed conflict. The formula of A-X allows the ASEAN leaders to conduct agreement with confidence building, shuttle diplomacy, and fact-finding with or without the affirmation of all members.

**Conclusion**

ASEAN as one of the most successful regional organizations has experienced many challenges to maintain its existence for more than five decades. Conducting economic and political cooperation has become a basic principle which always is nurtured till today. ASEAN vision for the ASEAN community to increase the awareness of regionalism as one community becomes a priority to deal with global challenges. However, facing global challenges needs more than just economic and political cooperation to maintain their regional stability. ASEAN needs to assure that pillars of security and democracy will also be enforced by all member states.

ASEAN currently facing the real test for their internal issues which are related to the case of the Myanmar coup by the military junta. As one of the member states,
conflict in Myanmar cannot be just ignored as it has been infringed on the principle of democracy. Moreover, repressive action done by the military junta to their society caused hundreds of fatalities. A bunch of critics addressed ASEAN to respond to the situation and make rapid action towards the current situation. Yet, it seems dull waiting for something that will never come. The violation of democracy and humanitarianism in Myanmar is a clear signal that something is not working well within the system. ASEAN has no can do as long as they are not redefining the fundamental value of non-intervention principle.

Two proposals might be considered for all state members to strengthen the role of ASEAN in the future. First, encouraging three state members (Indonesia, Malaysia, and Singapore) to arrange a new format of regional integration which focuses on the issue of democracy and humanitarian issues. The other proposal that can be opted is that ASEAN-X. The format allows state members to take rapid action and policy towards another member who violated humanitarian and democratic principles. These two initiatives aimed to make ASEAN great again to deal with any threat that comes from inside the region.
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