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Changing ASEAN and Different Views of Global Democracy with a Focus on Myanmar¹⁾

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Abstract

This article analyzes the future of the Association of Southeast Asian Nations (ASEAN) with respect to the theory of global democracy. After explaining the theory of global democracy and its relationship to ASEAN and other actors in Southeast Asia, the changes in associated policies in ASEAN are discussed, by focusing on disputes over democratization, in particular, the issue of Myanmar. ASEAN has departed gradually from strict adherence to the westphalian principles, which emphasize non-interference in internal affairs and the right of self-determination. At present, however, it is unclear whether ASEAN will move in the direction of a regional model of global democracy that requires all member states to be liberal democracies.

Keywords : ASEAN, global democracy, Myanmar, democratization

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Introduction

This article analyzes the future of Association of Southeast Asian Nations (ASEAN) as the international community in Southeast Asia, with respect to the theory of global democracy. The literature on international community-building in Asia typically focuses on security, economics, and culture. In contrast, the focus of this article is more on political issues, especially those of democratization.

International involvement in the democratization of Southeast Asian states has been a central issue in regional and international politics since the late 1980s, as exemplified in Myanmar (Burma)²⁾, Cambodia, the Philippines, Indonesia and East Timor. On the one hand, the United States and the European Union have been attempting to promote liberal democracy in Southeast Asia. On the other hand, many politicians and governmental officers in Southeast Asia are uncomfortable with external interference in domestic affairs, especially when it emanates from Western countries, and insist on what they see as 'Asian values' and 'Asian-style democracy' (Aoki and Saeki, 1998; Neher, 1994). This ideological conflict has been especially evident since the early 1990s. Tension between these views has affected international community-building in Southeast Asia, which now appears to be significantly different from European integration.

The ideological conflict over democracy is not limited to Southeast Asia. An obvious example is the Middle East, where the conflict cannot necessarily be reduced to cultural or regional elements, but rather, is strongly related to global trends. Therefore, the future of international community-building in Southeast Asia cannot be understood without reference to the global politics of democracy and democratization. Theories of global democracy, which have been developed to examine the clash of democratic world orders, are of great significance in examining the complicated situation of international community-building in Southeast Asia and its future in the global context.

This article explains the theory of global democracy and its relationship to

2) The military government changed the name of the country from Burma to Myanmar in 1989. The United Nations and many countries, including Japan, accepted the change, although the US government and the National League for Democracy (NLD), the largest opposition group in Myanmar, continue to use 'Burma'. This article uses 'Myanmar' for the period since 1989 while accepting that there is still disagreement over the use of the name (Steinberg, 2001, p. XI).

ASEAN and to other actors in Southeast Asia. It then examines the change of ASEAN by focusing on disputes over democratization, especially in relation to Myanmar, where many of the issues of global democracy are being played out.

Theory of global democracy

In this article, global democracy is defined as the democratic world order, which prescribes the nature of democracy at national and international levels, and indicates how the international community should be involved in democratization at both levels. This definition may be broader than some, to encompass various visions of democratic world order that affect global politics (Holden 2000). The notion of global democracy, in this sense, has been discussed since Immanuel Kant's proposal for a federation of free states in the eighteenth century (Held, 1995; McGrew 1997). Visions of global democracy can be classified into five models on the basis of their relationship to the traditional state system and their attitude towards liberal globalization (Sugiura, 2004, pp. 34-61). Table 1 sets out their main characteristics and objectives.

Table 1 Models of global democracy

	Main characteristics	International Involvement in national democratization
Westphalia model	Intergovernmentalism based on the equal relationship between states and the principle of non-interference in their domestic affairs	Democratization assistance only on demand
World Federation model	A supranational (world) government with an elected parliament	
Liberal Community of Democracies model	Confederation of liberal democratic states	Positive democratization promotion mainly by governments and international organizations
Cosmopolitan model	Multilayered democratic political structures	Positive democratization promotion by governments, international organizations and 'reformist' civil society groups
Radical model	Direct participation of people and a tendency towards anti-globalization	Positive democratization promotion through cooperation between 'radical' civil society groups

The Westphalia model is based on the principles of self-determination, non-interference in domestic affairs, and equality among sovereign states, embodied in a great number of treaties, including Charter of the United Nations (UN Charter). Many assume that this model is not included in the visions of 'global democracy'. However, it has been pursued mainly by newly independent and developing countries including China as a kind of democratic world order, as exemplified by the movement for the New International Economic Order in the 1970s and the claims of G-77 countries. Participants who support this model are not willing to countenance external assistance for democratization, because such involvement risks breaching the principle of non-interference in domestic affairs. The Liberal Community of Democracies (LCD) model aims for a confederation of liberal democratic states, based on a legal equality among them. Many Western governments, especially that of the US, have advocated this model³⁾. This model could be ascribed to several regional organizations, such as NATO and the Organization for Security and Co-operation in Europe (OSCE). Advocates of this model support the democratization of states and reject the unconstitutional overthrow of democratic governments. These two models are especially relevant in Southeast Asia.

The World Federation model, rooted in the traditional idealism of international relations theory, demands a supranational world government to which all states are subordinate, and a supranational parliament representing world citizens through direct elections. The Cosmopolitan model proposes a multilayered, democratic political structure of governance as the key to a democratic world order, consisting of supranational, national, local and other levels; the EU has often been referred to as a regional example. Advocates of this model also support the promotion and protection of liberal democracy, and prefer democratic processes such as the direct participation of citizens in governance. The Radical model proposes direct participation by world citizens in all governance structures in the world, while giving particular emphasis to the voice of people in a weak political

3) Since the Community of Democracies Ministerial Meeting, Warsaw, 26-27 June 2000, the US government has led the international forums called Community of Democracies (see the homepage for the Council of a Community of Democracies, at <http://www.ccd21.org>).

position. Exponents of the Radical model oppose untainted liberal globalization, which they believe worsens existing inequalities, as discussed in the World Social Forum since 2001.

These models are valuable reference points for most debates on global democracy, and for analyzing the nature of the world order that is being pursued by international actors, such as states, international organizations, and non-government organizations (NGOs) (Sugiura, 2004). Some international and regional actors, such as the EU, the Organization of American States, and OSCE, actively pursue some of these models as regional international community. Like most regional organizations, their visions of global democracy involve diplomacy outside their own region. It is significant that advocates of each vision occasionally conflict with respect to how it should be achieved, as seen in the debates on the legitimacy of the 2003 Iraq War or on whether America is an 'empire'. This conflict has affected the real international politics generally and, in particular, the ways in which states have been democratized. In Southeast Asia, as various stakeholders have pursued their own visions of global democracy, conflicts have frequently arisen, especially over the democratization of Southeast Asian states. Therefore, by using the theory of global democracy to analyze the international conflicts related to democratization in Southeast Asia, we can better understand the international relations affecting the development of ASEAN as an international community. This article mainly focuses on governments and international organizations while civil society organizations occasionally play a significant role.

Actors in Southeast Asia and global democracy

This article focuses on ASEAN, the main international body in Southeast Asia. With respect to the theory of global democracy, ASEAN has been closest to a regional form of the Westphalia model. This can be concluded from two of ASEAN's prominent characteristics: its attachment to the doctrine of non-interference in domestic affairs, and its intergovernmentalism. The doctrine of non-interference in the internal affairs of its member states is a well-established

principle of the Westphalia state system, as enshrined in the UN Charter, and has been incorporated in all of the major statements put out by ASEAN from the very outset (Acharya, 2001, p. 57). Therefore, it has contributed deeply to the identity of ASEAN (Acharya, 2001). ASEAN has continued to hold to the doctrine, as seen in the Declaration of ASEAN Concord II, adopted at the ASEAN Summit in Bali in October 2003.

The other principle is its intergovernmentalism. ASEAN's decision-making is extremely intergovernmental, excluding non-governmental actors such as NGOs (Chandra, 2004). Some NGOs have helped the development of ASEAN diplomacy, which is known as the 'track-two' dialogue (Chandra, 2004, pp. 66-67). However, most participant NGOs are think-tanks such as ASEAN-ISIS, which are financially supported and occasionally instructed by ASEAN governments. The word 'intergovernmentalism' also refers to decision-making that is made solely by governments, without significant influence of supranational or international secretariats. ASEAN has avoided the creation of a supranational secretariat such as the European Commission. Also, ASEAN leaders have favored 'the ASEAN way', which stresses 'informality, organization minimalism, inclusiveness, intensive consultations leading to consensus and peaceful resolutions of disputes' (comment by Singapore's Foreign Minister, S Jayakumar, quoted in Acharya, 2001, p. 63).

Thus, we can conclude that ASEAN has been pursuing the Westphalia model of global democracy as a regional democratic community in Southeast Asia. This is despite the existence of other powerful political agents in Southeast Asia, such as the US, the EU, the UN, Japan, and China, which are pursuing their own visions of global democracy.

The US is following the LCD model for global democracy and has promoted liberal democracy throughout the world to realize this vision (Cox *et al.*, 2000). Occasionally, this involves military measures, as in the case of the 1983 invasion of Grenada and the 2003 Iraq War. The US has continued to pursue this foreign policy in Southeast Asia, even after the attack on the World Trade Center in New York on 11 September 2001 (Camroux and Okfen, 2004, pp. 164-167). The EU has certain political and economic interests in Southeast Asia, partly because some EU member states were formerly colonial powers in the region. The EU is pursuing

the Cosmopolitan model of global democracy in Europe. Outside the region, the EU's policy is similar to that of the US, in that it requires nonmember countries as well as its member states to respect the norm of liberal democracy (Young, 2001).

The UN has played a significant role in various parts of Southeast Asia, for example, the UN Transitional Authority in Cambodia and the UN Mission in East Timor. The global democracy pursued by the UN has been moving from the Westphalia model towards the LCD or Cosmopolitan models (Sugiura, 2004). The norms of democracy in the UN, and UN democratization assistance to member states, have developed since the 1990s. At the same time, the UN has attempted to 'democratize' itself through various reforms, including the expansion of NGO participation in the process, while many governments resist the expansion of NGO participation, instead insisting on 'democratic' intergovernmentalism (Sugiura, 2004). However, the direction of the UN in this respect still remains unclear: UN assistance for democratization is limited, with no formal procedures for responding to the unconstitutional subversion of democratic governments in member states; in addition, the democratization of the UN itself has not developed significantly.

Southeast Asia has continued to be of high priority in Japanese foreign policy, with approximately 30 percent of Japan's bilateral Official Development Assistance (ODA) provided to ASEAN states (Japanese Ministry of Foreign Affairs, 2004). This priority arises from the history of Japan's relationship with the region, and from its geographical proximity. While the Japanese government has no clear vision of global democracy, there is mild support for the LCD model in Japan. For example, the ODA Charter, adopted in 1993 and revised in 2003, includes the promotion of democratization in the key principles of ODA implementation (Japanese Ministry of Foreign Affairs, 2003). However, the notion of democracy as a norm is still less significant in Japan's foreign policy than those of the US and EU, as exemplified in Japanese policy towards China and Myanmar after the end of the Cold War (Arase, 1993; Shimomura *et al.*, 1999).

The relationship between China and ASEAN has become significantly closer since the 1990s, despite the territorial dispute with the member states of ASEAN, including the Philippines, Vietnam, and Malaysia, over the Spratly Islands. China

and ASEAN have found common economic and political interests, in particular, their concerns about Western trade, human rights, and democracy (Ba, 2003). China holds to the Westphalia model of global democracy, strongly opposing the notion of interfering in internal affairs with respect to the promotion of Western democracy and human rights. China also supports the concept of an equal relationship between sovereign states since it adopted the 1954 Declaration of Five Principles of Peaceful Coexistence.

The issue of Myanmar and the changing nature of ASEAN's policy

The difference between these participants' visions of global democracy has had a major influence on the politics of community-building in Southeast Asia. The US, Japan, the UN and the EU, in their varying degrees of promoting liberal democracy, have pushed ASEAN towards the LCD model since the early 1990s. However, the proponents for the Westphalia model in ASEAN have resisted this pressure, with the support of China, insisting on the norm of non-interference in internal affairs. This conflict has been apparent in the continuing debates over the democratization of Myanmar since the 1990s, and in the response of ASEAN to the 1997 coup in Cambodia. This section examines the changes that have been occurring in ASEAN and in its relationships with other states; the focus of the discussion here is on the democratization of Myanmar, where ASEAN's evolving vision of global democracy and its differences in this respect with other actors is clear.

The start of the Myanmar issue

In September 1988, the Burmese military proclaimed martial law, deposed the BSPP regime, abolished the constitution, and assumed power as the State Law and Order Restoration Council (SLORC), claiming that it would prepare the way for multi-party elections (Pedersen, 2000, p. 204). The SLORC suppressed the mass demonstrations and an estimated 10,000 lives were lost that year (Möller, 1998, p. 1088). In light of these occurrences, Aung Sang Suu Kyi and other pro-

democracy leaders formed the National League for Democracy (NLD).

Initially, there was widespread international outrage at the military's brutal suppression of the demonstrators. Many countries, such as Germany, the United States, and Japan, immediately suspended all aid to Burma (Silverstein, 1992, p. 956). In particular, the relationship between the US and Burma worsened after the 1988 military coup and the subsequent violent crackdown on mass demonstrations. On 12 August 1988, the US Senate adopted a resolution requiring the Burmese government to restore democracy and resolve the human rights issues in that country (Kumada, 2001, p. 15). The US also downgraded its level of representation in Burma from Ambassador to Chargé d'Affaires in that year. However, most states were reluctant to do more than halt their official aid programs. In February 1989, Japan reversed its position and resumed official development aid for uncompleted projects, arguing that this course of action would be more effective in convincing the SLORC to change (Silverstein, 1992, p. 957). Furthermore, it re-recognized the government of Burma (Steinberg, 2001, p. 256).

In May 1990, the SLORC organized nationwide elections under martial law. In these elections, the NLD won 392 of 485 seats, even though its leader, Aung San Suu Kyi, had been under house arrest since March 1989. However, the new parliament was never convened, because the SLORC declared that the elections had served the purpose of creating a constitutional assembly rather than a parliament (Möller, 1998, p. 1088). Furthermore, many political activists were imprisoned (US Department of State, 2004).

The international community responded with severe criticism to the junta's disregarding of the results of the election. The EU imposed an arms embargo on Myanmar in 1990. In the US, the Congress passed the Customs and Trade Act of 1990 in June 1990. Under Section 138, the US President was required to impose economic sanctions on Myanmar by 1 October 1990 if Myanmar did not meet certain human rights conditions. President Bush (Snr) declined to renew a textile agreement between the two countries when Myanmar was found to have failed to meet the conditions in July 1991 (Steinberg, 2001, p. 89).

Since 1989, the UN has responded to the course of events in Myanmar. On 29 February 1990, before the 1990 elections that were to be disregarded by the regime

in Myanmar, Japan insisted that the UN General Assembly's Third Committee, which handles human rights issues, defer voting on a Swedish-sponsored resolution to demand that the SLORC hold new elections and release political prisoners, so that the Committee could first be satisfied that the forthcoming elections were conducted appropriately and on schedule (Arase, 1993, p. 946). During 1990 and 1991, the UN Human Rights Commission sent special rapporteurs to Myanmar to inquire into the situation under confidential Procedure 1503, although China and several other countries initially resisted action (Silverstein, 1992, pp. 957-58). The Commission could not find any improvement of the human rights conditions, partly because neither team had received the necessary cooperation from the government in their efforts (Silverstein, 1992, pp. 957-58). In 1992, the Commission changed the confidential procedure to a public one, and has continued to appoint Special Rapporteurs to monitor the situation in Myanmar⁴⁾.

In October 1991, the foreign minister of Myanmar, U Ohn Gyaw, defended his government's position on human rights and democracy at the UN General Assembly (Steinberg, 2001, p. 87). However, following rejection of his explanation and his defense of the regime's policies, both the UN Assembly and the Human Rights Commission adopted strong resolutions to push Myanmar toward democracy (Steinberg, 2001, p. 88). In December 1991, the General Assembly adopted Resolution 46/132, sponsored by Sweden and many other member states, expressing deep concern at the continuing violation of human rights in Myanmar and the house arrest of Aung San Suu Kyi; however, largely as a result of pressure from Japan, the language of the resolution was softened (Arase, 1993, p. 946). Since that time, both the General Assembly and the Human Rights Commission have annually adopted a resolution condemning the government of Myanmar for its continuing human rights abuses, and urging it to take all necessary measures to promote democratization. This international pressure on the SLORC was encouraged by Aung San Suu Kyi's award of the Nobel Peace Prize in October 1991.

By contrast, ASEAN expressed its disapproval of Western interference in

4) See the reports at <http://www.ibiblio.org/obl/docs/Collected_SRM_CHR_reports-B.html>

Southeast Asian affairs (Narine, 2002, p. 114). ASEAN did not isolate Myanmar or interfere in its internal affairs, but rather attempted to include it in the organization (Acharya, 2001, p. 114). Initially, the ASEAN countries were generally silent on the issues of human rights and democracy. When the ASEAN Ministerial Meeting was held in Kuala Lumpur in July 1991, the US appealed to ASEAN to use its good offices to persuade its member states to put pressure on Myanmar to voluntarily transfer power to the NLD. However, ASEAN refused this appeal (Silverstein, 1992, pp.952, 958; Steinberg 2001:89). Instead, ASEAN adopted a policy of 'constructive engagement', led by Thailand (Buszynski, 1998; Malik, 2000, p. 257; Steinberg, 2001, p. 238). Under this policy, since 1991 ASEAN has maintained commercial and political contacts with Myanmar in an attempt to encourage it to reform, and has resisted Western pressure for sanctions (Malik, 2000, p. 257).

ASEAN's adoption of a policy of 'constructive engagement', as opposed to the Western approach that emphasized sanctions, was consistent with what it saw as 'the ASEAN Way' and 'Asian values'. ASEAN's leading politicians, such as Mahathir Mohamad in Malaysia and Lee Kuan Yew in Singapore, had started to insist on this approach as an appropriate one for Asian countries that had undergone significant economic development since the late 1980s (Silverstein, 1992, p. 958; Barr, 2002). In his opening address at the 1991 ASEAN Ministerial Meeting, Mahathir 'disagreed that democracy has only one definition or that political systems qualify as democratic only when they measure up to certain particular yardsticks' (ASEAN, 1991).

Despite international pressure, the SLORC showed no intention of transferring power to an elected parliament in 1992. The regime remained reluctant to take steps towards democracy while Western and even Asian officials expressed frustration over the lack of progress (Pedersen, 2000, p. 197). In 1992, the regime organized a coordinating meeting for a future constituent assembly, later named the National Convention, to formulate the basic principles for developing a new constitution. The military-controlled National Convention started its work in January 1993; but it was soon clear that the military rulers were seeking to secure a leading role for the military in the new Myanmar regime, even after a transition of power to an elected government (Pedersen, 2000, p. 204).

Disputes over Myanmar's admission to ASEAN in 1997

The next peak in international tension over the Myanmar issue occurred when the decision of whether to admit the country to ASEAN started to be an issue. In July 1994, Myanmar was invited to join the ASEAN Ministerial Meeting in Bangkok as a guest (Malik, 2000, p. 57; Möller, 1998, p. 1090). One of the reasons for this invitation was that by the time of the Bangkok meeting, most ASEAN states had come to believe that Myanmar would be a promising market for their economies, and were increasingly concerned about China's growing influence over Myanmar (Möller, 1998, p. 1090). Nevertheless, ASEAN members required the SLORC to make further progress in its domestic situation before it could be admitted to the Association. The Thai government, as the 1993-94 Chair of ASEAN, attempted to gain the early release of Aung San Suu Kyi from house arrest to facilitate Myanmar's entry (Möller, 1998, p. 1090). Aung San Suu Kyi was released from house arrest in July 1995, just before that year's Ministerial Meeting in Bandar Seri Begawan. At that meeting, Vietnam was admitted as a full member of ASEAN, and Myanmar acceded to the Treaty of Amity and Cooperation, an essential prerequisite for such membership. The government of Myanmar applied for full membership of ASEAN when it was invited to the ASEAN Bangkok Summit in December 1995. The membership was scheduled to be granted five years later.

On the domestic front, the NLD unilaterally ceased its participation in the National Convention in November 1995; in retaliation, the SLORC expelled all of the NLD members from the convention. In March 1996, the National Convention was suspended; in May, the government detained more than 250 NLD members (Möller, 1998, 1091). In July 1996, during the ASEAN Regional Forum (ARF) meeting in Jakarta, which Myanmar had joined for the first time, controversies over the Myanmar issue emerged. Several ASEAN ministers had suggested retaliating for what they regarded as the EU's interference with respect to ASEAN's decision to admit Myanmar; these ministers questioned the need for the EU's attendance at the forum, and claimed that the role of some EU member states in Southeast Asian security was unclear (Möller, 1998, p. 1094, Note 15).

In 1996, Malaysia assumed the ASEAN residency, and thus would host the 30th anniversary meeting in Kuala Lumpur in July 1997. In August 1996, Prime Minister Mahathir unilaterally advanced the date of Myanmar's admission from the scheduled 2000 to 1997 (Möller, 1998, p. 1091; Steinberg, 2001, p. 238). In 1996-97, for the first time, an open split developed in ASEAN over the issue of Myanmar's admission (Malik, 2000, p. 261). Thailand and the Philippines were concerned about Myanmar's rapid entry into the Association, and felt that its admission should be on condition that the country restores the democratic process. Indonesia and Malaysia were against waiting, while Singapore's stance lay between these opinions (Malik, 2000, p. 261). In September 1996, the ASEAN foreign ministers' meeting in New York failed to reach agreement on the timing of Myanmar's accession (Möller, 1998, p. 1091). Furthermore, a visit to Myanmar by Malaysian foreign minister Abdullah Ahmad Badawi after the meeting made little progress on the issue (Möller, 1998, p. 1091). In November 1996, prior to the ASEAN Informal Summit in Jakarta, the Philippines, Thailand and Singapore had questioned the Malaysian demand that Myanmar be granted full membership by 1997. However, Indonesia and Malaysia still insisted on the simultaneous accession of Myanmar, Vietnam, and Cambodia by July 1997 (Möller, 1998, p. 1092). It was eventually agreed that the candidates should be admitted in principle, without a specified timetable for such admission (ASEAN, 1996).

In October 1996, the SLORC started a new round of suppressing the opposition (Möller, 1998, p. 1091); its actions were subsequently condemned internationally. Consequently, the EU and US strengthened their sanctions against Myanmar. In the same month, the EU member states adopted a Common Position on Myanmar. The EU confirmed its previously imposed sanctions, including an arms embargo imposed in 1990, the cessation of defense cooperation in 1991, and the suspension of all bilateral aid other than strictly humanitarian assistance; a ban was introduced on the issuing of visas to members of the SLORC, officials of the Myanmar government, senior military and security officers and members of their families; and high-level visits to Myanmar by EU personnel were banned (European Union, 2004; Pedersen, 2000, p. 197). In February 1997, the Myanmar problem was discussed during a meeting in Singapore of EU and ASEAN foreign

ministers to prepare the second Asia-Europe Meeting in London, scheduled for the following year (Möller, 1998, p. 1093). After Myanmar's accession to ASEAN in July 1997, a meeting of the ASEAN-EU Joint Cooperation Conference, which deals with joint projects and trade preferences and which was scheduled for November 1997, was indefinitely postponed, because ASEAN had insisted that Myanmar and Laos be admitted as observers (Möller, 1998, p. 1094). Myanmar was prohibited from formal participation in the meetings between the EU and ASEAN until the ASEAN-EU ministerial meeting in Vientiane in December 2000 (Takano, 2001, p. 160).

In March 1997, the US Congress passed a sanctions bill that prohibits new investment by American citizens and organizations (Steinberg, 2001, p. 242). In April, Nicholas Burns, a spokesman for the Department of State, announced that the US was attempting to use its influence to make the SLORC unwelcome in ASEAN (Möller, 1998, p. 1092). In May, the Clinton administration issued Executive Order 13047 to implement a ban on future American investment in Myanmar (Möller, 1998, p. 1092). Madeleine Albright, US Secretary of State, who was said to be personally close to Aung San Suu Kyi, vigorously protested against Myanmar's admission, while other ASEAN dialogue partners, including China, Japan, and South Korea, remained silent (Steinberg, 2001, pp. 239,243). However, it was reported that the ASEAN leaders advanced Myanmar's entry into the Association because they did not want to be perceived as submitting to US pressure (Steinberg, 2001, p. 239). At the ARF meeting on 27 July, shortly after Myanmar's full admission, granted at the Kuala Lumpur ASEAN Ministerial Meeting, Albright stated the US's disagreements with ASEAN policy towards the SLORC, and in particular, US concerns about the human rights record of the SLORC. She put pressure on ASEAN to use its contacts with the military regime to bring about a dialogue of reconciliation (US Department of State, 1997). On that occasion, ASEAN members publicly disapproved of Western sanctions, although no member went as far as to defend the military government (Möller, 1998, p. 1093).

Changing ASEAN after 1997

From the late 1990s, ASEAN has significantly changed its attitude towards democracy and democratization in its member states. On 5 July 1997, Hun Sen, one of the Cambodian co-prime ministers, removed the other co-prime minister, Prince Norodom Ranariddh, whose party won the 1992 democratic elections, and violently seized power (Acharya, 2001, pp. 115-120; Narine, 2002, pp. 116-19). In response to this crisis, ASEAN delayed Cambodia's accession to membership of ASEAN, scheduled for 1997, and sent a mission to Cambodia to resolve the crisis. However, ASEAN stepped back from taking more serious action against the Hun Sen regime, such as the suspension of aid by the US and Japan (Acharya, 2001, p. 117).

In light of this crisis, the deputy prime minister of Malaysia, Anwar Ibrahim, informally suggested the idea of 'constructive intervention' in July 1997. This implied 'closer cooperation between advanced and less advanced ASEAN members to promote regional development but not uninvited intervention in the internal affairs of member states' (Narine, 2002, p. 168). This call for reconsidering the principle of non-interference in internal affairs was gaining gradual support among member states as the Asian economic crisis worsened, although Anwar himself was suddenly dismissed from his position and arrested in a domestic political struggle in September 1998 (Haacke, 1999, p. 582).

Furthermore, in the wake of the Asian economic crisis of the late 1990s, the concept of 'flexible engagement' was advanced by Thailand's foreign minister, Surin Pitsuwan, in the July 1998 ASEAN Ministerial Meeting in Manila; this was an open call for ASEAN to review its doctrine of non-interference. The idea 'involves publicly commenting on and collectively discussing fellow members' domestic policies when these have either regional implications or adversely affect the disposition of other ASEAN members' (quoted in Narine, 2002, p. 168). However, this idea was strongly opposed by all other member states except the Philippines (Acharya, 1999, p. 429; Pedersen, 2000, p. 199). In July 1998, the debate in ASEAN ended in an agreement that the association adopt a softer approach of 'enhanced interaction' to deal with regional issues, including the Myanmar

problem, while respecting the principle of non-interference (Haacke, 1999; Malik, 2000, p. 262).

Japan, which, like ASEAN, had pursued a kind of 'constructive engagement' policy with Myanmar, supported Thailand's new proposal (Asahi Evening News, 26 July 1998). While Japan has frozen 'new' yen loans since 1989, it has continued to provide ODA to Myanmar through a relatively narrow interpretation of the term 'new'. In 1998, Japan decided to provide a loan of about ¥25bn (more than US\$20M) to repair and expand the international airport in Yangon, arguing that the loan was not 'new' because it had been promised before 1988 and was provided on 'humanitarian' grounds (Steinberg, 2001, p. 257). However, the US and a number of pro-democracy non-government organizations protested against this decision (Burma Information Network, 2003).

On the other hand, the UN, EU and US continued to put pressure on the military government of Myanmar. In April 1998, the UN Commission on Human Rights adopted an EU-sponsored resolution on Myanmar (Resolution 1989/63) that expressed concern about human rights abuses. In July, the State Peace and Development Council (SPDC), which was renamed from the SLORC, prevented Aung San Suu Kyi from meeting her followers in areas of the country other than Yangon, and faced criticism from Thailand (Möller, 1998, p. 1094). In October 1998, the EU strengthened its 1996 Common Position by widening the visa ban on Myanmar officials (European Union, 2004). On 9 December 1998, the UN General Assembly adopted Resolution 53/163, which strongly urged the SPDC to take all necessary steps towards the restoration of democracy. Furthermore, a UN Special Envoy traveled to Myanmar to discuss the possibility of resumption of international aid to the country (Pedersen, 2000, p. 201). At the 1998 ARF, US Secretary of State Albright again insisted on the need to solve the Myanmar issue (US Department of State, 1998; Goh, 2004, p. 59).

Nevertheless, in September 2000, Aung San Suu Kyi was detained at her house again. The good offices of Razali Ismail, who was appointed as the UN Secretary General's Special Envoy in April 2000, urged the SPDC to open a dialogue with Aung San Suu Kyi. This pressure eventually led to talks between the SPDC and Aung San Suu Kyi, which gave rise to the release of many political prisoners and

some increase in political freedom (United Nations, 2001; Tanabe and Nemoto, 2003, p. 183). On 6 May 2002, she was allowed to leave her home and subsequently traveled throughout the country. However, on 30 May 2003, a convoy of Aung San Suu Kyi and her supporters was attacked by a group of pro-government supporters. Many members of the convoy were killed or injured, and Aung San Suu Kyi and other members of the NLD were yet again detained.

There was an immediate international response to this development. Japan suspended its official development aid to Myanmar on 25 June 2003 (Watanabe, 2003). The UN Special Envoy, Razali, visited Myanmar from 6 to 10 June 2003 and Razali strongly requested that the government release Aung San Suu Kyi and other NLD members (United Nations, 2003). In late July, US President George W Bush signed the Burma Freedom and Democracy Act into law, which banned imports from Myanmar and the export of financial services to the country, and froze the assets of certain Myanmar financial institutions (US Department of State, 2004).

In June 2003, the ASEAN Ministerial Meeting in Phnom Penh issued a joint communiqué that urged the government of Myanmar to promote a peaceful transition to democracy and required the early lifting of restrictions on Aung San Suu Kyi, thus supporting the efforts of the UN Secretary General's Special Envoy (ASEAN, 2003a, Paragraph 18). This was the first time that ASEAN had formally referred to the issue of Myanmar's democratization. The ARF ministerial meeting following the ASEAN meeting also urged the SPDC to resume its efforts of national reconciliation and dialogue towards a peaceful transition to democracy (ASEAN, 2003b, Paragraph 21). However, US Secretary of State Collin Powell could not persuade ASEAN leaders to adopt sanctions against the SPDC (Goh, 2004, p. 59). The ASEM meeting in July also strongly called on Myanmar to release Aung San Suu Kyi and others immediately and to resume its efforts towards democratization, again supporting the UN Secretary's efforts (ASEM, 2003, Paragraph 7).

In early August 2003, the Thai government proposed to the SPDC a 'road map' of the process of transforming Myanmar into a full democracy by 2006, when it will take over the chairmanship of ASEAN (Jagan, 2003)⁵¹. The SPDC welcomed

the Thai proposal, as did China, the US, the EU, and Razali of the UN (Nishinippon Newspaper, 2003). On 30 August 2003, the new Prime Minister of Myanmar, Khin Nyunt, outlined in his first official address a road map for the transition to democracy. The seven steps in the road map include the reconvening of the National Convention, the drafting of a new constitution, the adoption or rejection of the resulting constitution through a national referendum, and the holding of free and fair elections (Embassy of the Union of Myanmar, 2003).

However, since that time, the road map has advanced only slowly, and the NLD leaders, including Aung San Suu Kyi, have not been released. In late September, one month before the 2003 ASEAN Summit in Bali, the former Indonesian Foreign Minister, Ali Alatas, traveled to Yangon as a special envoy of Indonesia, which was in the ASEAN presidency at the time, to encourage Myanmar's democratization process. However, he failed to persuade the SPDC to release Aung San Suu Kyi (Altsean-Burma, 2004, p. 52). Nevertheless, the ASEAN Bali Summit in October 2003 welcomed the road map, which was 'a pragmatic approach and deserves understanding and support', and agreed that 'sanctions are not helpful in promoting peace and stability essential for democracy to take root' (ASEAN, 2003c, Paragraph 25).

In May 2004, the National Convention was reinstated, eight years after it was disbanded in 1996, although the NLD was excluded from the process and its leaders continued to be detained. In June 2004, the ASEAN Jakarta Ministerial Meeting again 'encouraged all concerned parties in Myanmar to continue their efforts to effect a smooth transition to democracy' (ASEAN, 2004a, Paragraph 15). On the other hand, the US and EU have continued their strong position against the regime in Myanmar. On 3 September 2004, the EU Foreign Ministers decided to impose further sanctions against Myanmar if the SPDC failed to release Aung San Suu Kyi and allow the NLD to attend the National Convention before Myanmar's participation in the ASEM Summit on 7-9 October, participation that the EU had agreed to for the first time since 1996 (European Union, 2004). As the military government did not meet these requirements on time, the European

5) Eventually, Myanmar agreed to forgo 2006 ASEAN chairmanship at the 2005 ASEAN Ministerial Meeting on 26 July 2005.

Council agreed to further tighten sanctions on Myanmar on 25 October 2004 (European Union, 2004).

On 19 October 2004, Prime Minister Khin Nyunt was suddenly ousted from his position. It has been reported that hard-line members of the SPDC leadership consolidated their power by removing him, although on 22 October the SPDC stated that they would continue the road map process (US Department of State, 2004; Agence France Presse, 2004a). Even after this incident, Southeast Asian states have continued to pursue their policy of constructive engagement with the military government, as Philippines President Gloria Arroyo had proposed, while some parliamentarians in ASEAN states have sought the suspension of Myanmar from ASEAN (Associated Press, 2004; Agence France Presse, 2004b). The Vientiane Action Program, adopted at the ASEAN Summit in Vientiane in November 2004 to further ASEAN community-building, did not mention the Myanmar issue (ASEAN, 2004b). In the same month, the SPDC announced that it would release approximately 9,000 political prisoners (US Department of State, 2004). In February 2005, the National Convention resumed its official work after a seven-month break, although it was boycotted by the NDL. In July 2005, Myanmar and ASEAN members agreed to cancel Myanmar's chairmanship of ASEAN in 2006 to avoid a Western boycott of the association's meetings (Associated Press 2005).

Conclusion

Based on its attempt to publicly persuade the military government of Myanmar to democratize, ASEAN appears to be transforming itself from a rigid Westphalia model to a weak LCD model. As exemplified by the case of Myanmar, the first reason for this change is continuing pressure from pro-liberal democracy powers outside ASEAN, especially the EU and the US, which seek to promote a democratic global order based on the LCD model. Their strict sanctions against Myanmar and their application of pressure on other countries in Southeast Asia for democratization has gradually undermined ASEAN's founding principles, including its doctrine of non-interference in domestic affairs.

The second reason for the change is the 'ASEAN divide' with respect to the

nature of political regimes (Yamakage, 2001, pp. 10-11). On the one hand, Thailand and the Philippines are already democratized, are willing to promote democracy in other countries. On the other hand, Myanmar, Laos and Vietnam have not adopted Western democracy, and are unwilling to interfere in the internal affairs of other countries to encourage democratization. The former group has gained more influence in ASEAN because it has been joined by newly democratized countries such as Indonesia, and has received the continuing support of external pro-democracy proponents, chiefly the US, European countries, and, to a lesser extent, Japan.

The third reason is that ASEAN has come to be more vulnerable to external influence because its economic position in the world declined after the 1997 economic crisis. Since that time, ASEAN members that had strongly refuted Western criticisms of Myanmar's proposed admission to full membership have become more open to solving the democratization issue in Myanmar in cooperation with Japan and the UN taking milder measures than the US and EU.

However, the doctrine of non-interference in internal affairs remains strongly entrenched in ASEAN. The first reason for this is that even democratized member states are basically unwilling to accept interference in their internal affairs. Secondly, the traditional aspect of ASEAN that strongly adheres to the principle of non-interference is increasingly supported by China in normative and material terms. As China and ASEAN espouse the Westphalia model, China has stood on the side of ASEAN with respect to approaching the issue of Myanmar's democratization by 'constructive engagement' (Chanda, 2002). Furthermore, China is rapidly gaining economic and political influence in Southeast Asia. This traditional aspect of ASEAN is encouraged by Japan, which has taken almost the same approach as the 'constructive engagement' policy of ASEAN towards Myanmar, as evidenced by Japan's provision of long-term ODA to Myanmar.

In conclusion, ASEAN has departed from a strict Westphalia model of global democracy, but is unlikely to move markedly towards the LCD model although the analysis of this article is limited because it has mainly focused on governments and international organizations. This is because various actors outside Southeast Asia that hold differing views of global democracy continue to influence ASEAN,

while the situation related to democratization within ASEAN is in a state of flux. These external and internal forces effect a balance between the norm of democracy and the doctrine of non-interference in domestic affairs, which will decide the future of ASEAN. At present, it is unclear which norm will lead ASEAN and what kind of community ASEAN will evolve into.

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