Herding cats: the role of persuasion in political change and continuity in the Association of Southeast Asian Nations (ASEAN)

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Abstract

The role that peer pressure plays in efforts by member nations of the Association of Southeast Asian Nations (ASEAN) in socializing a reluctant or recalcitrant member(s) toward a diplomatic posture or policy position has been noted but not systematically addressed in the existing literature. Given that the decision-making in ASEAN has traditionally been a consensus-based, political suasion is therefore the key modality through which ASEAN members develop shared perspectives and, where possible, ensure collective assent to an existing or emerging norm or position. Peer pressure is likely the only means available for ASEAN states to promote 'voluntary compliance' without contravening their institution's non-interference principle. Three historical developments are examined: Indonesia and the formation of ASEAN, the establishment of the ASEAN Charter,

and the constructive engagement of Myanmar. In all three instances, force-based coercion did not play a role, but persuasion did.

How do member countries of the Association of Southeast Asian Nations (ASEAN) get one another to act in ways other than what they had originally intended or preferred? ASEAN has been praised for its ostensible contributions to regional peace and security, and panned and pilloried for an assortment of perceived shortcomings ranging from its weakness as an institution, lack of progress in regional integration, and ineffectiveness in conflict prevention and resolution. ASEAN's first-time failure to produce a joint communiqué at the end of its annual meeting of foreign ministers at Phnom Penh in July 2012, despite frantic shuttle diplomacy by Indonesian foreign minister, underscored the immense difficulties in collective bargaining and mobilization for a consensus-based organization such as ASEAN.

But not much has been said about how ASEAN and its member states relate with one another to achieve particular desired policy or behavioral outcomes. Advocates of ASEAN attribute institutional advances by ASEAN to the ostensible virtues of the 'ASEAN Way' and, in some instances, credit the 'ASEAN spirit' for purportedly motivating and mobilizing collective action (Busse, 1994, p. 54). Critics of ASEAN highlight its member countries' preoccupation with their own national interests at the expense of the region's, their obdurate fidelity to the principles of state sovereignty and non-interference, and a general concern for preserving the diplomatic status quo to explain the perceived lack of institutional change and regional progress (Jones and Smith, 2002). That said, how member states decide whether to participate in or to support policy change or conversely to ensure policy continuity is not particularly well understood. More often than not, the ASEAN Way of consultation, consensus, and informality becomes the default cliché pundits uncritically employ in the place of any serious explanation. Arguably, even a collective decision in favor of continuity often does not necessarily mean 'standing still' or 'doing nothing', but could involve a fair bit of activity in order to ensure steadfast commitment by all concerned to the preferred course (Leifer, 1987, p. 21).

How change and continuity effectively take place within ASEAN and in the extra-regional context of ASEAN's relations with its dialog

partners has much to do with the grouping's institutional design and what has been referred to as its 'diplomatic and security culture' and/or 'model of regional security' (Haacke, 2003; Khong and Nesadurai, 2007). With few membership rules, compliance requirements, and enforcement mechanisms typical of more robust institutions, ASEAN has had to rely on primarily non-legal means – social means, essentially, specifically non-enforceable forms of deliberation, persuasion, possibly even argumentation (Johnston, 2005, 2008) – to 'get things done', as it were. This is not to say that ASEAN is thereby institutionally deficient – path-dependent explanations of ASEAN, for example, assume that the regional organization works differently *vis-à-vis*, say, the European Union (EU) and has been effective in its own way and within its limits (Acharya, 2009a) – or that it lacks in institutional activity – the ASEAN Eminent Persons Group (EPG), for example, reported around 700 hundred ASEAN meetings convened in 2007 alone (Tolentino, 2008). ASEAN now boasts a charter that was established in 2007 and, upon ratification by all 10 of its member nations, entered into force in 2008. Moreover, there has been in recent years a rise in the recourse by some ASEAN states to third-party legal adjudication, usually the World Trade Organization's (WTO) dispute settlement mechanism and/or the International Court of Justice (ICJ), to settle disputes between themselves over trade and territory (see Table 1). But as the wider ramifications of such disputes, as in the case of the 2011 border dispute between Cambodia and Thailand, have underscored, ASEAN's express vision to form a regional community – 'a rules-based, people-oriented and more integrated entity', according to ASEAN Secretary-General Surin Pitsuwan (cited in Xinhua, 2008) – faces innumerable obstacles in the way of its realization (Kassim, 2011). More than anything, the charter's codification of principles to which ASEAN states have traditionally adhered – respect for the independence, sovereignty, and territorial integrity of member states; peaceful settlement of disputes, non-interference in member states' internal affairs, right to exist free from external interference, and so on (ASEAN, 2007a) – highlights the evident preference among the region's ruling elite for preserving ASEAN's intergovernmental character, notwithstanding the generous use of terms like 'community', 'people-oriented', and 'integrated entity' by officials to describe what they envisage for their organization by 2015.

Table 1 WTO dispute settlement cases involving ASEAN countries (1995–2011)

ASEAN state	As complainant	As respondent	As third party
Brunei	0	0	0
Cambodia	0	0	0
Indonesia	5	4	4
Laos[a]	–	–	–
Malaysia	1	1	2
Myanmar	0	0	0
Philippines	5	6	8
Singapore	1	0	7
Thailand	13	3	52
Vietnam	1	0	9

Data excerpted from the WTO website at www.wto.org.
[a]Observer status.

Faced with a nascent and patchy experimentation in legalization, ASEAN and/or its member states have had to rely on what Leifer (1999) has called 'peer-group pressure' either to engender desired change or to discourage untoward revisionism in intramural relations. Peer pressure is likely an important means available for ASEAN states to promote voluntary compliance, so to speak, without contravening the principle of non-interference (now enshrined in the charter). As George Yeo, Singapore's former foreign minister, once noted, 'While ASEAN may work on the principle of consensus, ASEAN also works on the principle of peer pressure, and peer pressure can be very effective. And it is not easy for an ASEAN member country to take a rigid position when all the other nine countries are in opposition' (MFA, 2011). Scholarly research on socialization and persuasion supports this reasoning; although nonbinding in the legal sense, consensus decisions could nonetheless exert a strong peer pressure effect on potential defectors (Johnston, 2008, p. 163). On the other hand, ASEAN states have, on occasion, 'interfered', and quite deliberately so, in each other's affairs – indeed, at the risk of engaging in 'norm-breaking' behavior – when pressuring undecided and/or recalcitrant fellows to adopt a particular perspective or policy position (Jones, 2010, 2012). Political suasion of this sort arguably becomes even more essential where ASEAN's relations with its dialog partners are

concerned, particularly where persuading global and regional great powers to act in ways that benefit, not hurt, Southeast Asian interests. Yet suasion is not absent even in highly legal institutions. In this regard, it is probably inappropriate to adopt a purely positivistic conception, say, of the EU and its precursors in European integration, without any consideration for the role peer pressure plays in their decision-making processes (Risse, 2000). And if this were true of robust rule-bound institutions defined by pooled sovereignties and competences, then all the more the importance of socialization in institutions that lack the legal and other institutional instruments to ensure compliance among its members.

What I want to do in the following is, first, to consider the relevant arguments on socialization pertinent to peer pressure – the mechanism of persuasion seems particularly applicable in this regard – and, second, to examine three historical and/or institutional developments in which peer pressure has played a role: (i) Indonesia and the formation of ASEAN, (ii) the embryonic turn to legalization in Southeast Asia, and (iii) the constructive engagement of Myanmar. The aim here is to identify a number of developments at various historical junctures of ASEAN's evolution which arguably supply grist for an analysis of peer pressure between ASEAN and its member states and/or within intra-ASEAN relations.

1 Socialization and the role of persuasion

A fair amount has been written on how participation by states in international institutions changes their behaviors in more cooperative directions. The literature distinguishes three main ways. First, states are either rewarded or penalized through positive or negative sanctions by the institution or by certain actors within that institution (Mitchell, 1994; Chayes and Chayes, 1998; Koremenos *et al.*, 2001). Second, as a consequence of changing distributions of power among the members of an institution, states change their preferences and behaviors in response to the evolving and/or new power configuration within that institution (Mearsheimer, 1994/95). Third, states act differently than they otherwise might have in response to the socializing effects of institutions and/or communities (Johnston, 2003; Checkel, 2005). Constructivists have done the most to contribute to the third understanding, namely, socialization. Broadly defined, socialization involves getting new actors to adopt or conform to

the rules and norms of a pre-existing institution or community over the long term and without resort to force or coercion. There are four aspects to socialization as such. First, inductees are introduced to – they internalize – norms privileged by inductors (Ikenberry and Kupchan, 1990, pp. 290–298). Second, the process of norm transmission from inductor to inductee is pacific and non-coercive. Third, absent force or conquest, the key mechanism of socialization – the 'central aim of political interaction',[1] according to one formulation – is persuasion (Acharya, 2011, p. 8). Fourth and final, socialization leads to long-term and stable change, rather than short-term adaptation (Checkel, 2005, p. 804).

A whole gamut of micro-processes, so-called, of socialization has been identified – persuasion, teaching, mimicking, social influence, argumentation, and/or role-playing – which some have taken to mean no singular pathway to socialization exists (Acharya, 2011, p. 9). Yet there is little disagreement among socialization theorists that, of these, persuasion stands out as the critical mechanism, but not competing with other micro-processes as much as complementing them. For Johnston, persuasion occurs in three ways. First, the actor in question is persuaded by the merits of the argument. Known as the 'central route' to persuasion, the referents here are the relative merits of the argument and the bandwidth ('cognitive capacity')[2] and openness of the receiving actor to engage with and internalize the contents of the new information. Second, the actor is persuaded less so because of what the argument is about than who the persuader is. In other words, as a result of the relationship between the persuading agent and the receiving actor, the latter accepts the merits of the argument and internalizes it on the basis of its purveyor's perceived legitimacy and authority (Johnston, 2008, pp. 156–157). Known as the 'peripheral route' to persuasion, the referents here are the identity of the persuader and the relationship between persuader and the target of persuasion. Third, the particular attributes of the recipient of persuasion – predisposition, prejudices, priorities, personal history, and so on – can determine whether he/she receives and internalizes the new information, or resists and rejects it (Johnston, 2008, pp. 157–158). The key referent here is obviously the receiving actor. Beyond Johnston's specific concerns, this third way of persuasion, if successfully transacted, likely

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1   See Mutz *et al.* (1996, p. 1), cited in Johnston (2008, p. 155).

2   See Bar-Tal and Saxe (1990, p. 122), cited in Johnston (2008, p. 156).

also opens the way to what has been called 'localization', namely, the process of accommodation and likely adaptation of the new information to suit the pre-existing ideology of the receiving actor (Acharya, 2004, 2009b). Localization also raises the question of just how much adaptation (dilution?) of the information being received has to occur before its host is sufficiently comfortable with accepting it. Needless to say, the three ways adumbrated above are not mutually exclusive. More often than not, successful exercises in persuasion likely involve a combination of two or all of these ways.

For constructivists, socialization marks a shift from the guiding logic of consequences (strategic/instrumental calculation of what benefits one's self-interests) to that of appropriateness (what is seen as socially appropriate and hence sensible to emulate) (Risse, 2000; Goldmann, 2005). However, appropriateness and consequentiality are not necessarily incompatible or incommensurate since actors who are deeply socialized are by no means nonstrategic in their behavior. According to Johnston (2005), deeply socialized actors could prove more strategic in their behavior than shallow instrumentalists precisely because they have made the leap from cynicism to true belief in whichever norm they adhere to. Likewise, Barkin (2003) has suggested that, even among constructivists, the claim that human behavior is motivated by the logic of appropriateness would find few takers because of the false 'either/or' choice forced upon us here, as if people's brains are hardwired either for strategic thought or for social convention. In this regard, Barkin's brand of 'realist constructivism' – by which he means mainstream constructivism and classical realism are in fact broadly compatible – leads him to conclude that 'an assumption of a logic of appropriateness is no more constructivist than the rational choice assumption of strategic logic' (Barkin, 2010, p. 56). However, his ideas have been criticized as being little more than realism that takes norms seriously, rather than constructivism that distinguishes itself ontologically and epistemologically from the liberal cum idealist dominance of constructivism (Jackson and Nexon, 2004).

Against this brief conceptual cum analytical backdrop on socialization qua persuasion, the paper now turns its attention to three cases. As noted earlier, the aim behind the deployment of political (in some instances, possibly even moral) suasion could be oriented toward different outcomes, namely, to induce political/institutional change (i.e. innovation, revisionism), on the one hand, or to ensure that political/

institutional continuity is maintained (i.e. conservation, keeping the *status quo*). That being said, acts of norm-breaking by ASEAN members are not automatically associated with revisionist intentions. For example, their contraventions of the non-interference principle could reflect a growing aspiration for reforming the rules of ASEAN toward a more compliance-based rather than consensus-based model, but it could also indicate growing concerns among other ASEAN states that domestic political transition within one of their own could, if left unchecked, end up destabilizing the traditional ASEAN order (Jones, 2010, 2012).[3] The same holds true for acts of norm-keeping, which may not always be associated with *status quo* maintenance. For example, the legal entrenchment of the non-interference principle in the ASEAN Charter – granted, the legalization of non-interference, indeed the very establishment of the charter itself, is an institutional innovation – could have been motivated by a desire to ensure political continuity. On the other hand, the same policy of keeping the non-interference principle intact via the charter, by reassuring its stakeholders that the envisioned ASEAN Community is no threat to the regional state system, could end up liberating states to attempt more ambitious forms of security cooperation than they otherwise might have done if faced with a gnawing threat of activist states 'plotting' to pool sovereignties and/or abolish non-interference.

2 Formation of ASEAN

Arguably, ASEAN's longevity as a regional organization would not have been possible without the regional leadership furnished by Indonesia. If Indonesia had remained unconvinced about the merits of joining yet another experiment in indigenous regionalism, ASEAN would simply not have been formed – a non-development which could have proved politically disastrous for Malaysia and Singapore, whose newfound independence, particularly in the case of the Malaysian Federation in 1963 (of which Singapore was a part until it parted ways a mere two years later), did not sit well with President Sukarno, who saw it as a British neo-colonial ploy to maintain political control over the Malay Archipelago region. Sukarno's response was to launch Confrontation, a brand of limited

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3   The British philosopher-statesman Edmund Burke (1982) had a similar worry over revolutionary France and what, if any, demonstration effect it could have on the English monarchy.

militaristic adventurism against Malaysia and Singapore which lasted from 1963 to 1966. Following the coup which eventuated in the establishment of Suharto's New Order regime, an opportunity for the two ex-British colonies to cultivate the new Indonesian leader and secure Jakarta's recognition of Malaysia and Singapore as sovereign nations presented itself. Indigenous regionalism constituted a plausible choice, although Malaysia and Singapore kept their memberships in the Five Power Defence Arrangements (formerly the Anglo-Malayan Defence Agreement until 1971), arguably as military indemnity against potential future provocations by Indonesia (Bristow, 2005). Moreover, there was no guarantee that ASEAN would work, not least because of the failure of two earlier indigenous regional experiments, the Association of Southeast Asia, which comprised Malaya, the Philippines, and Thailand, and MAPHILINDO, which included Malaya, Indonesia, and the Philippines (Pollard, 1970; Charrier, 2001).

Accordingly, ASEAN would furnish the institutional framework in which Indonesia would be recognized among member nations as the *primus inter pares* (first among equals) in return for Indonesia's acknowledgment of their rightful existence as sovereign states (Leifer, 1996, p. 13). Through ASEAN, the other members would engage in political counterbalancing and hopefully discourage Indonesia's hegemonic proclivities. But how to secure everyone's volitional buy-ins when Indonesia is self-professedly nonaligned and fixated on devising regional solutions to regional problems – which Indonesia's neighbors read as a euphemism for regional hegemony (Leifer, 2000, p. 109) – without external power interference? According to Leifer:

> The Concert of Europe had been predicated on the concept of the balance-of-power, but in the second half of the twentieth century this notion was anathema to a nonaligned Indonesia whose participation in ASEAN was critical to the Association's existence and viability. Yet without identifying it with European practice, ASEAN was established with balance-of-power clearly in mind. (Leifer, 1996, p. 13)

> A regionally autonomous structure of order under Indonesia's guidance was an abiding aspiration but not one shared by its fellow member governments. Indonesia's regional vision challenged the logic of the balance-of-power which in Southeast Asia has always been influenced by extra-regional forces. Such a perspective separated

Indonesia from its regional partners, which still valued access to extra-regional sources of countervailing power. (Leifer, 1989, pp. 5–6)

That Jakarta was able to coax its ASEAN neighbors into such a joint regional venture, however, must also be attributed to its willingness to cooperate with other ASEAN members seeking to impose institutional constraints on it. As one assessment has it, 'President Suharto well understood that one way to restore regional confidence and stability would be to lock Indonesia into a structure of multilateral partnership and constraint that would be seen as a rejection of hegemonic pretensions' (Leifer, 1996, p. 13). A regional leadership framed within the institutional context of ASEAN would not be seen by its neighbors as hegemonic, but in fact would be accepted by them. As Lee Kuan Yew, Singapore's first prime minister, noted in his memoirs, 'Indonesia wanted to reassure Malaysia and Singapore that, with the end of the Sukarno era, its intentions were peaceful and it had abandoned Sukarno's aggressive policies' (Lee, 2000, p. 369). Perhaps no clearer episode underscored Indonesia's commitment to self-restraint than its response to the Singapore government's execution of two Indonesian marine commandos sentenced to death for killing three persons when they exploded a bomb at a bank along Orchard Road in Singapore's retail district in 1964 during the height of Confrontation. Although the popular reaction back in Indonesia to the executions was intense – 400 students sacked the Singapore embassy and the ambassador's residence in Jakarta – the Suharto government, particularly Indonesian foreign minister Adam Malik, appealed for calm and assured Singaporeans that Indonesia had no wish to retaliate against them (Lee, 2000, p. 297). Persuading his Singaporean and other regional counterparts regarding Indonesia's pacific intentions, Suharto realized, required a 'good neighbor policy', so-called, which in his hands consisted of three components: the pursuit of cordial bilateral relations, the commitment to regional reconciliation and unification, and the settlement of regional conflicts (Lau, 1990, p. 115).[4] With qualifications, the metaphor of the Indonesian Gulliver

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4   Hedley Bull (1977, p. 110) has written of a similar approach evidently adopted by the US President Franklin D. Roosevelt toward Latin American states that arguably proved a more benign expression of the Monroe Doctrine: 'Is it the case that a state which finds itself in a position of preponderant power will always use it to "lay down the law to others"? Will a locally preponderant state always be a menace to the independence of its neighbours, and a

voluntarily being tied down by its Lilliputian ASEAN neighbors is entirely appropriate. As such, the formation of ASEAN itself (on 8 August 1967), crucially dependent not only on Indonesia's self-restraint but also on the others' buy-ins, is arguably a candidate for a successful socialization via persuasion, where New Order Indonesia, in order to successfully convince its wary neighbors that Indonesia had sworn off Confrontation-like excesses, accepted (or at least tolerated) their persistent reliance on security partnerships with extra-regional powers, exercised strategic restraint, and committed its fortunes to an embryonic regionalism (ASEAN), whose future was by no means assured.[5] The imperative role played by Suharto in persuading his regional counterparts, especially Malaysia and Singapore, according to Johnston's categories, fits with the first and second ways of persuasion.

3 Legalization in Southeast Asia

In November 2007, 40 years after its inception, ASEAN formally unveiled its charter at its leaders' summit in Singapore. This development led some observers to speculate on the changing nature of regional diplomacy in Southeast Asia from a hitherto longstanding preference for consensus, consultation, and informality to a rules-bound approach. Not all shared this optimism, however. Given carte blanche by ASEAN leaders to develop a wish list of things to be included in the charter, the EPG convened for that purpose produced, by ASEAN standards, a rather remarkable list of recommendations, including the call for clear mechanisms for dispute settlement, accountability, and redress (ASEAN, 2007b). Unsurprisingly, the High Level Task Force (HLTF) that drafted the charter eschewed most of the EPG's radical ideas, opting instead for a more cautious approach typical of the delicate balancing between the

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generally preponderant state to the survival of the system of states? The proposition is implicitly denied by the leaders of powerful states, who see sufficient safeguard of the rights of others in their own virtue and good intentions. Franklin Roosevelt saw the safeguard of Latin America's rights in US adherence to the "good-neighbor policy"'.

5   As Leifer (1996, p. 13) has suggested, 'The extent to which Indonesia's example of political self-denial in the interest of regional order may be emulated within the wider Asia-Pacific is central to any parallel between ASEAN and the ASEAN Regional Forum'. In short, ASEAN's subsequent socialization of China likely has its inspiration and model in this historical socialization of Indonesia.

disparate interests, histories, and sensitivities of ASEAN member states that defines all ASEAN agreements:

> After a two-year process, however, the resulting forty-page Charter did little more than grant ASEAN a legal personality, which means little in light of ASEAN's institutional incapacity. To wit, the Charter simply consolidates ASEAN's existing pronouncements, setting forth purposes and principles which largely reflect those functions found in previous Agreements. Additionally, the Charter's procedures for the members' rights and obligations, decision-making process, and dispute settlement do not markedly differ from the ASEAN Way. The Charter also clarifies the organization's structure, affords ASEAN certain immunities and privileges, and sets forth budgetary protocol. Last, it provides for the organization's administrative functions, discusses ASEAN's symbols, and articulates mechanisms to govern ASEAN's legal and extra-regional relationships. (Leviter, 2010, pp. 164–165)

ASEAN leaders have been derided for their conservatism and lack of collective will and courage in watering down the EPG's proposals. Calling the charter 'a disappointment', Barry Desker (2008), noting its codification of existing ASEAN norms and preservation of the grouping's historical identity as an intergovernmental organization, offers this blunt assessment: 'ASEAN did less than it could have done. ASEAN had even gone backwards'. That the HLTF comprised exclusively senior officials from the foreign ministries of ASEAN countries could also have shaped the charter's conservative nature because of their abiding concern to protect and preserve national sovereignty (Koh, 2009a, pp. 55–56). Furnishing a more upbeat assessment, an HLTF member, Tommy Koh (2009a,b), argued instead that ASEAN is committed to establishing a viable dispute settlement mechanism through giving the ASEAN Secretary-General the responsibility for monitoring the compliance of member states regarding their commitments. For Koh, the charter represents a work in progress, a first step in what could be long process toward building a culture of compliance to commitments. In October 2010, ASEAN's foreign ministers, in anticipation of the 17th ASEAN Summit, agreed to adopt two legal instruments – the Rules for Reference of Unresolved Disputes to the ASEAN Summit and the Rules of Authorization for Legal Transactions under Domestic Laws – both of which are critical to the realization of the ASEAN Charter. The key

worry, however, remains what the ASEAN Secretary-General has referred to as 'problems in implementation' (Kassim, 2011).

What prompted the ASEAN states to adopt the charter? And why especially a charter whose contents do not differ significantly from those of earlier ASEAN agreements and treaties? In short, why bother? Some socialization scholars would probably treat this as an indication of ASEAN's concern over its legitimacy as a regional organization.

Mimicking or mimicry is another micro-process of socialization practiced by states or institutions that adorn themselves in the accoutrements of established powers and institutions, imitate their customs and conventions, appropriate their language and terms of reference, and mimic their behaviors in superficial ways and for utilitarian reasons (Johnston, 2008). Actors that engage in mimicry operate according to the logic of consequences less so of appropriateness. By adopting a charter and crafting a vision for an ASEAN Community with economic, political security, and social cultural anchors[6] – indeed, in establishing an intergovernmental human rights commission – ASEAN could well be mimicking the EU and other institutions in order to enhance its international legitimacy and burnish its reputation.[7] In recent years, ASEAN–EU relations have improved vastly since the 1990s, putting them well past the negative experiences of their acrimonious conflict over the human rights records of ASEAN states and the equally intense debate over Asian values.[8] As Singapore's George Yeo reportedly told his European audience in 2007:

> The European colonial legacy is partly the reason why ASEAN countries find in European integration an inspiration for our own

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6 Specifically, the ASEAN Economic Community, ASEAN Political-Security Community, and ASEAN Social-Cultural Community are 'pillars' that support the ASEAN Community, which is to be established in 2015.

7 As Jetschke and Murray (2012, p. 174) have noted, 'ASEAN members have started to adopt EU-style institutions, in particular, the EU's Committee of Permanent Representatives and economic integration processes. This adoption process can be conceived as both lesson-drawing and normative emulation from the EU. This has not led to a comprehensive and systematic copying of EU institutions by ASEAN. Rather, member states have acted selectively in line with their "cognitive priors" about state sovereignty. We observe institutional change only, but not a change in behavioural practices'. Also see Katsumata (2009, 2011).

8 Especially at the World Conference on Human Rights (the 'Vienna Conference') held in Vienna, Austria, in June 1993 (Lee, 1992; Mahbubani, 1992; Jones, 1994; Posner, 1997; Bell, 2000).

integration. Some members of the High Level Task Force drafting our ASEAN Charter have visited Berlin and are now in Brussels, precisely to learn from the EU experience. I don't think our integration will ever go as far as Europe's but your footsteps, including your missteps, are a guide to us in our journey. The European Commission has been most helpful to us. Last year, the Eminent Persons appointed by the ASEAN Leaders received excellent briefings on the European Union in Brussels which influenced them in the way they crafted their recommendations. (MFA, 2007)[9]

But is this institutional learning a clear instance of socialization? European scholars have debated over whether this inter-regional diffusion of ideas from Europe to Southeast Asia involved persuasion, that is, the EU as persuader and ASEAN as the persuaded. On the one hand, it has been argued that the EU relies on persuasion and other 'soft' incentives to influence institutional change in far-flung regions given its ability to force non-members into compliance with its standards and institutional prescriptions weakens, unsurprisingly, with distance (Börzel and Risse, 2012). On the other hand, others have argued that since ASEAN only accepted the EU's influence following its own policy failure in the wake of the financial crisis of 1997–98, the fact that it was its environmental circumstances that rendered the EU model attractive, rather than the message of EU integration *per se*, poses analytical problems for the persuasion hypothesis.[10] Mimicry consists in shallow normative transactions, and, for better or worse, the conservatism of the ASEAN Charter, as discussed earlier, appears to support the mimicking argument. But as Dian Triansyah Djani, the Indonesian representative to the HLTF, has implied, both push factors, not least the challenges posed by the rise of China and India as well as those posed by globalization, and pull factors such as the drive to enhance economic integration within ASEAN, contributed to the felt need for a charter:

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9   Mimicry implies shallow institutional change aimed at burnishing one's legitimacy and reputation, rather than a fundamental attitudinal and behavioral renovation. In words to that effect, a former ASEAN secretary-general has identified a key purpose in having the charter as '[*reinforcing*] *the perception* of ASEAN as a serious regional player in the future of the Asia Pacific region' (Severino, 2006).

10 As Jetschke and Murray (2012, p. 179) conclude, 'The test for the persuasiveness of the EU message, in our view, would be whether ASEAN members would have been persuaded without a crisis'.

[I]t was evident in many quarters in Indonesia that the time had come for a Charter in ASEAN so as to preserve ASEAN's relevance as a regional player. The emergence of ASEAN's neighbours, the challenges of globalization and the need to enhance integration within ASEAN, raised the stake to expedite the transformation of ASEAN into a formal organization, with a legal personality and a stronger structure and mechanism. (Djani, 2009, p. 40)

Apart from the ASEAN–EU dimension, did persuasion take place at the intra-ASEAN level among members to push the establishment of the charter? Although all 10 ASEAN states officially have an equal voice in decisions, the norm of consensus does not mean that inter-member deliberations and negotiations are necessarily civil and diplomatic all the time. Indeed, size, population, and history matter a great deal in intra-mural relations. As Emmerson (2007, p. 438) has noted, 'acknowledging the formal equality and autonomy of member states need not deter big states from informally "persuading" small ones. Because of their differing endowments, some members can afford to be less polite than others'. In their deliberations over the drafting of the charter, it became clear that not every country was favorably disposed to the idea for a charter. Reportedly, the purported conflict that arose between supporters for the charter and those that resisted it led to some rather 'undiplomatic' exchanges during the HLTF's negotiations as supporting countries (primarily the founding members of ASEAN, with Indonesia and Singapore as the most proactive actors) sought to coax and cajole their reluctant counterparts (primarily the newer members that joined ASEAN in the 1990s), some of which refused to budge on the charter (Volkmann, 2008, pp. 80–81). One of the disagreements that arose at the 10th HLTF meeting in Chiang Mai, Thailand, in September 2007 involved the terms of reference for the proposed ASEAN human rights body should be completed before the signing of the charter. The 'older' members of ASEAN, particularly Indonesia, Malaysia, the Philippines, and Thailand, wanted the terms of reference of the human rights body deleted from the agenda, and discussion over the aim and function of the human rights body to be taken up by experts after the charter had been signed. However, the 'newer' members of ASEAN, Cambodia, Laos, Myanmar, and Vietnam, insisted that the terms of reference and enabling provision for the human rights body be completed before the

charter had been signed, and that the body be given only consultative status – a diminished role than what their 'older' counterparts had hoped for. The deadlock, which lasted two days, broke only after a compromise was achieved by way of a mention in the charter regarding the terms of reference for the human rights body 'to be determined by the ASEAN Foreign Ministers' (Koh, 2009a, pp. 62–63).

The disparity between 'old' and 'new' ASEAN members' perspectives on the charter and the human rights mechanism is understandable in the light of their respective experiences with legalization at the international level. Notably, the founding ASEAN members are not unfamiliar with legalization and third-party adjudication – whether on intra-regional or extra-regional bases – having had some experience in settling trade disputes at the WTO and settling territorial disputes at the ICJ.

Bilateral border disputes between ASEAN members have been brought before the ICJ. Two oft-cited cases are the Ligitan and Sipadan islands disputed by Indonesia and Malaysia, which Malaysia eventually won, and the Pulau Batu Putih/Pedra Branca island disputed by Malaysia and Singapore, which Singapore eventually won (Colson, 2003; Jayakumar and Koh, 2009). On a more recent note, the Thai-Cambodian dispute over the border area surrounding the Preah Vihear temple has led to Phnom Penh seeking clarification from the ICJ concerning its 1962 ruling which awarded the temple to Cambodia. In July 2011, the Court ruled that both countries were to withdraw their troops from a newly defined provisional demilitarized zone around the temple area and to allow ASEAN-appointed observers to enter the zone (paragraph 64 of the ICJ order) (ICJ, 2011).[11] Arguably, the longer experience 'old' ASEAN has had with legalization could have contributed partly to their more positive outlook on the adoption of a charter.

So, is ASEAN's adoption of the charter reflective of successful persuasion? Or is a diluted charter, a compromise document at best, proof that persuasion, if indeed it took place, was only partial since the horse-trading among the charter's drafters likely involved a fair amount of reluctance and refusal to give in on perceived core interests? Three observations are noteworthy here. First, although persuasion (and socialization more generally) is understood to be pacific and non-coercive, it is not entirely clear

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11 In practice, this proved more difficult to achieve owing to the obduracy of the Thai military leadership in preventing Indonesian observers from entering the temple complex area.

whether this rules out 'undiplomatic' moments. As Risse (2000, pp. 1–2) has noted, argumentation, deliberation, and persuasion constitute the mechanisms by which 'actors engage in truth seeking with the aim of reaching a mutual understanding based on a reasoned consensus … challenging the validity claims involved in any communication'. The foregoing discussion on the charter task force's negotiations suggests that even consensus organizations such as ASEAN are not entirely free of heated exchanges behind closed doors. Indeed, when, a few short months before the charter was to be unveiled, ASEAN ended up being 'bedevilled by Burma's impunity' as a result of the ruling junta's crackdown on dissidents in late 2007 (Simon, 2008a), the statement issued by the ASEAN chair against the Myanmar government in New York – arguably amounting to a contravention of ASEAN's sovereignty, non-interference, and consensus norms (Emmerson, 2008, p. 74) – was, if anything, polite (ASEAN, 2007c).

Second, whether shouting matches within consensus organizations include a resort to coercive measures and material threats by persuaders against their obdurate counterparts is difficult to say, not least in the context of ASEAN's charter negotiations. Some of the wealthier ASEAN countries, such as Singapore, have regularly contributed aid and development assistance to needy ASEAN counterparts. According to Ong Keng Yong, the former ASEAN Secretary-General, Singapore, through modalities such as the Singapore Cooperation Programme and the Initiative for ASEAN Integration, has probably spent in excess of US$140 million in technical and capacity development assistance to ASEAN states, mostly but not exclusively to the CLMV (Cambodia, Laos, Myanmar, and Vietnam) countries (Ong, 2010, p. 2). However, there is no evidence to date that material threats like such have ever been used to coerce reluctant or recalcitrant ASEAN members to adopt the charter. In any event, the compromise document that emerged, far removed from the radical measures recommended by the EPG, is probably a good indication that the use of peer pressure by the pro-charter camp in this instance, though not as polite as usually imagined of the ASEAN Way of consensus and consultation, likely did not include hitherto unreported threats of aid and assistance being cut, sanctions being imposed, or more extreme measures.

Third, while reluctant ASEAN countries might have held their ground on some issues, the fact that they were sufficiently swayed toward a

corporate agreement that ASEAN embark on an incipient legalization – and achieving full ratification by all 10 members a year later – implies that some level of attitudinal change, no matter how minor, did occur. In this regard, despite the failure of pro-charter states to push for the inclusion of more ambitious measures to the charter, some socialization scholars, especially Alastair Iain Johnston, are probably not particularly worried that ASEAN has essentially codified existing principles. In the case of the ASEAN Regional Forum (ARF), Johnston (2008) has argued that the forum's intergovernmental design serves as a reassurance to incumbent and prospective members concerned over any potential pooling of sovereignties and competencies. Thus, protected against attempts by any to revise the institutional *status quo*, members may in fact – a huge qualification here, in view of the ARF's poor track record in security cooperation (Emmers and Tan, 2011) – feel less anxious about embarking on ambitious security cooperation so long as the conditions for doing so are apt (Johnston, 2008, p. 162). Moreover, as a flexible consensus institution, the ARF precludes the likelihood of any of its members being caught in a losing vote of the kind that takes place in highly legal institutions. Illiberal countries unaccustomed to such democratic conventions in international institutional settings – Johnston's research focuses on China – could end up even more distrustful of the institution were they to cast a losing vote, particularly involving decisions with security ramifications (Johnston, 2008, pp. 162–163). On the other hand, consensus decisions, despite their legally nonbinding nature, actually make it more difficult for prospective defections because of the moral weight they carry, since every member 'voted' for them, as it were (Johnston, 2008, p. 163). The ambivalent nature of the ASEAN Charter, a legal document with effectively no compliance enforcement mechanisms to date and which keeps ASEAN as an intergovernmental organization, could effectively mean business as usual; 'We haven't learned pooling', as a senior ASEAN official reportedly said in 2010 (cited in Jetschke and Murray, 2012, p. 185). A toothless charter, as metaphors go, is not without a tongue, which ensures it a measure of 'moral influence, if nothing else'.[12] To the extent post-charter ASEAN retains its historical practice in flexible consensus – for the record, the word 'consensus' is liberally sprinkled throughout the charter – it is not inconceivable that, as in the case of Johnston's ARF, the ASEAN states could, with time, foster an institutional culture of

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12 George Yeo, Singapore's ex-foreign minister, cited in Mahdini (2007).

appropriateness. As a regional leader once noted, it is not easy for an ASEAN state to take a rigid position on an issue when all the other nine countries are in opposition (MFA, 2011).

There are, for sure, risks involved. The charter's codification of the ASEAN Way could prove problematic for ASEAN in that it has the potential to stultify the organization by leeching it of flexible consensus. Not unlike the way in which the ARF has suffered through an inadvertent process of formalization that arguably has hampered attempts toward progress in security cooperation, ASEAN could face a similar predicament with its charter, where the codification of the ASEAN Way could deprive ASEAN of the tactical flexibility to 'stray' from the ASEAN Way as and when warranted (Jones, 2012). For example, past practice among ASEAN economic ministers allowed for member countries to agree on economic liberalization agreements on the basis of the 'ten minus x' and 'two plus x' principles. This ensured that member states that wished to embark on co-operative initiatives at a pace faster than the rest of the grouping could proceed (Severino, 2006, p. 353; Acharya, 2009a, p. 269). However, the ASEAN Charter allows for arrangements made on the 'ASEAN minus x' and other ancillary formulae for flexible participation *only if there is consensus to do so* (Desker, 2008). As such, what has hitherto been a practice based on a flexible consensus is now, by virtue of the charter, being transformed to an uncompromising principle based on unanimity. The irony here should not be missed: just as highly legal organizations such as the EU and the OSCE are today seeking to develop more flexible modalities that would give them greater maneuverability, ASEAN appears to be moving in the opposite direction.

What the foregoing discussion suggests is that, aside from the argument that ASEAN's establishment of a charter constitutes little more than mimicry, there is in fact a fair bit of persuasion that evidently went on as pro-charter member states sought to coax their reluctant counterparts to commit to the idea of giving ASEAN a legal personality. The analysis also raises questions about whether persuasion as defined by socialization theorists, although appropriately understood as pacific and non-coercive, could and should properly include space for argumentation especially in consensus organizations.[13] Intuitively, the answer should be

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13   In this regard, Risse (2000) could be taken as an argument rendered about European institutions *per se*.

a resounding 'yes'. Indeed, the incessant and insistent claims about 'ASEAN unity' and 'ASEAN spirit' by ASEAN officials are probably fair reflection of the felt need among ASEAN leaders, amidst the occasional *Sturm und Drang* in their deliberations, to remind one another to stay committed to the cause of ASEAN regionalism, no matter their perceived near-term costs.

4 From ASEAN 'bad boy' to ASEAN chair

Myanmar (formerly Burma) is scheduled to assume the role of chair of ASEAN – and, by extension, chair of the entire ASEAN complex of Asia-wide institutions – for the year 2014. While concerns persist over this anticipated development, it is clear that attitudes toward Myanmar have remarkably shifted within a brief span of time from negativity to a relatively more favorable stance. As recent as 2007–08, Myanmar's ruling military junta carried out a series of policies that earned it the world's censure, ranging from a crackdown on a clergy-led popular protest in Yangon (the so-called Saffron Revolution) to an obdurate refusal to receive international humanitarian assistance immediately following a destructive cyclone, Nargis, which caused untold devastation to the country and its population. The junta eventually opened the doors to the outside world, but only after it received assurances that ASEAN, in conjunction with the UN, would serve as the conduit and facilitator of foreign aid and assistance (Simon, 2008b; ASEAN, 2010). But in a series of moves that took many by surprise, President U Thein Sein's government, since its establishment in March 2011, has undertaken the following decisions: releasing hundreds of jailed political dissidents – although the Myanmar government denies that prisoners of conscience have been withheld (Thwin, 2011) – some of whom have been incarcerated since the 1988 crackdown, beginning in October 2011; arranging a meeting between Thein Sein and Aung San Suu Kyi in August 2011; relaxing its draconian controls over the media; legalized trade unions; and, instituting in 2012 what is likely the most open general election of the country in recent years, not least since the assumption of power by the State Law and Order Restoration Council regime and its successor, the State Peace and Development Council regime.

There are, to be sure, good external reasons for the Thein Sein government's apparent change of heart, chief of which is its growing worry that

Myanmar's economic, diplomatic, and strategic choices are becoming increasingly constrained as a consequence of Myanmar's intimate embrace by China, with whom it has enjoyed 'brotherly' (*paukphaw*) relations since the 1950s (Steinberg, 2006; Hughes, 2011). The evident readiness shown by the Obama administration to improve Myanmar–US relations paved the way for Myanmar toward a potential diversification of its economic and diplomatic options (Campbell, 2010). Indeed, the decision by the Myanmar government in September 2011 to suspend work on a hugely unpopular Chinese-backed Myitsone hydropower dam underscored the apparent readiness of Myanmar, where expedient, to undertake decisions even at risk of incurring Beijing's displeasure (Watts, 2011). Such exogenous factors aside, equally important has been the fact that ASEAN over the years, since Myanmar joined the organization in July 1997, has proven time and again to Myanmar's generals that it is no fair-weather friend, but one which has, if occasionally with great reluctance, generally stood by its recalcitrant member in the face of strong foreign criticism. As Aung Zaw (2001, p. 17) has recounted, in response to Aung San Suu Kyi's open letter to ASEAN in July 1999 calling on ASEAN to 'nudge Burma toward democracy', Thailand's Deputy Foreign Minister Sukhumbhand Paribatra responded, also via the press, that since ASEAN's policy toward Myanmar is that of constructive engagement, ASEAN could consider adapting, but not abandoning, its non-interference principle when dealing with Myanmar. However, Paribatra made clear a policy of exclusion, including economic sanctions, against Myanmar is not in ASEAN's interests.[14]

In 1998, ASEAN, according to veteran Indonesian diplomat Ali Alatas, adopted the informal policy of 'enhanced interaction' toward

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14 The efforts by ASEAN to engage Myanmar – carried out over the years under various labels from 'constructive engagement' to 'enhanced interaction' – are well documented (Haacke, 2005; Roberts, 2010). I have deliberately left our 'flexible engagement' because that neither became accepted 'policy' nor, more crucially, was it directed specifically with engagement of Myanmar in mind. When Surin Pitsuwan introduced the concept during his tenure as ASEAN chair in 1997, his apparent motivation had more to do with finding ways around ASEAN's non-interference principle to deal with looming transnational challenges, such as the trans-boundary haze problem faced by Malaysia and Singapore from the deforestation fires set deliberately in Sumatra. Ultimately, Dr Pitsuwan's proposal did not resonate with his fellow ASEAN leaders, and flexible engagement did not become official ASEAN policy, although it should be said that ASEAN member states have long been practicing their own 'flexible engagement' of sorts (Jones, 2010, 2012).

Myanmar. 'Respect for sovereignty will remain a basic principle for ASEAN, but increasingly we realize that we have to be flexible, that we have to be non-doctrinaire in some of these things', as Alatas recounted at a regional meeting in 2004. 'We realize that we have to reinvent ourselves in order to remain relevant, in order to remain effective' (cited in Abbugao, 2004). The trick, of course, was how to accomplish this while ensuring such actions were consonant with the ASEAN Way.[15] There was no question, however, that ASEAN's quiet diplomacy toward its recalcitrant member was partly motivated by the disquiet among the domestic constituencies of member countries (the media, civil society organizations, parliamentarians, etc.), which wanted the junta to be held accountable for its indiscretions (Wanandi, 2005). Among the member countries themselves, Malaysia took the lead in pushing for change and in opposing Myanmar's turn at the ASEAN chairmanship in 2006, democratic Indonesia did likewise, Singapore sought to convince Myanmar of the need for change, and even Vietnam showed concern for Myanmar's lack of political development (Wanandi, 1997; McCarthy, 2006). However, enhanced interaction, at least theoretically, comprised not only diplomatic pressure but the provision of developmental assistance as well. As Wanandi (2000) argued, 'We definitely should have a total programme of assistance to Myanmar because we cannot, like the West, put only pressure on the political side. That's nonsense. We should help get [Myanmar] into the mainstream of affairs in the region'. Was enhanced interaction a tacit admission that constructive engagement had essentially failed? That is one possible way to read it. In words that affirm Alatas's remark on ASEAN's view on sovereignty cited earlier, Rodolfo Severino (2006, p. 94), the former ASEAN Secretary-General, has argued that for ASEAN, the non-interference principle '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. Essentially arising from pragmatic considerations, ASEAN's practice of noninterference has not been absolute'.

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15 As Alatas's fellow Indonesian, the public intellectual Jusuf Wanandi (1997) argued: 'Despite the principle of non-intervention in each other's affairs that ASEAN espouses, it would be right to make an exception in Burma's case. But it should be done quietly in the right way, the ASEAN way'.

What ASEAN did in 2011, in response to the Thein Sein government's request to assume the ASEAN chairmanship, took many by surprise. Slated to assume the chairmanship in 2016 according to ASEAN's rotational system, Myanmar nonetheless requested for an early opportunity in 2014, which was widely seen as part of the regime's effort at improving its domestic and international legitimacy following the controversial elections of November 2010, which were regarded by many as staged (Ba, 2011). At the 19th ASEAN Summit in Bali, Indonesia, in November 2011, ASEAN leaders unanimously agreed to accede to Myanmar's request. The supposition evidently guiding ASEAN's decision was that by giving Myanmar its day in the sun, it would improve the prospects of further reform in Myanmar in the areas most needed. 'It's not about the past, it's about the future, what leaders are doing now', explained Marty Natalegawa, Indonesia's foreign minister, regarding ASEAN's decision. 'We're trying to ensure the process of change continues' (cited in Ba, 2011). According to Andrew Kydd, when states are uncertain about the motivations of other states, they are more likely to demand what Kydd (2001, p. 801; 2005) refers to as 'costly signals of reassurance' from the latter before they are prepared to commit to co-operating fully. In line with this reasoning, critics argue Myanmar should have been granted the chairmanship only *after* its government has undertaken democratic changes and improved its human rights record; in short, shown good evidence to reassure its ASEAN counterparts of its reformist intentions (Burma Partnership, 2011; Forum-Asia, 2011). But what ASEAN has effectively done is contrary to Kydd's expectations: rather than insist Myanmar signal or provide reassurance, ASEAN did so at potentially high cost to itself. In breaking a potential deadlock caused by the mutual escalation of tensions between Myanmar and itself, ASEAN chose a course of action that distinguishes its apparent expectation of reciprocity in this specific instance – 'paying it forward' practice, as it were – from Kydd's model of reciprocity, which places the onus for action on the receiving actor (Myanmar) rather than on the persuader (ASEAN).[16]

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16 ASEAN's action is arguably akin to what Alexander Wendt (1992, pp. 420–422) once called intentional transformation. For sure, Wendt's concept is not without problems, but I raise it here as a qualified suggestion.

If reassurance is key to successful persuasion, then, as UN Secretary-General Surin Pitsuwan, who has been credited for his contribution to the post-Nargis relief effort, has suggested, the natural and humanitarian disaster could well have been the reassurance Myanmar sought from the international community, even if its initial reactions – Bernard Kouchner, the French foreign minister, memorably invoked the 'responsibility to protect' principle to legitimize the forcible delivery of humanitarian assistance without the junta's consent (Kouchner, 2008) – proved otherwise:

> Cyclone Nargis was a turning point. It occurred in 2008, the year I became ASEAN secretary-general, and that's why I say I was baptised by Nargis. In working with Myanmar's leaders to deal with the tragedy, we opened up the country and rallied the world to come and help. You may remember that at the pledging conference in Yangon, even senior officials from countries that had been extremely antagonistic to Myanmar came. And that reassured Myanmar that the world was not altogether hostile and was willing to make exceptions. (cited in Mitton, 2012)

More specifically, Dr Pitsuwan identified what he felt was the crucial point, namely, a Myanmar that saw ASEAN as an actor it could trust and with which it could work:

> The response to Nargis marked the beginning of the social and political transformation we see in Myanmar today. Before that, the country was isolated and uncomfortable with the outside world. But after we came in, Myanmar realized it could deal with us. It could cooperate with us on terms that it was comfortable with – and that the world was not going to come in and impose. So I think it was a turning point. It reinforced the [Myanmar] government's own roadmap for reconciliation and opening up. (cited in Mitton, 2012)

While the phases of 'constructive engagement' and 'enhanced interaction' undertaken by ASEAN did not generate the desired openings, they furnished nonetheless a conducive political environment and social influence that allowed Myanmar's leaders, pushed into a corner by external powers in 2008 following Cyclone Nargis, to seek out ASEAN as the 'safe' partner with whom they could work to alleviate the sufferings caused by the storm. Here, the criticism noted earlier – that policy

changes rendered in response to crises are pragmatic rather than attitu-
dinal, and hence do not fully satisfy the conditions for persuasion
(Jetschke and Murray, 2012, p. 179) – could equally be raised. That said,
while mimicry cannot be ruled out as a plausible explanation for the
Thein Sein regime's actions, neither can persuasion really. Is change
adopted for pragmatic or strategic reasons amid crisis necessarily unper-
suasive? Indeed, is change undertaken in the absence of pressure,
whether exogenous or endogenous, the only real and durable sort? As
Trine Flockhart (2008, p. 139) has suggested about intramural dynamics
within security communities, 'Socialization and social learning are all
the more necessary in times of change, when values must be reinforced.
Therefore, one of the essential tasks of the leader of a security commu-
nity is to ensure that the values and the identity of the security commu-
nity remain shared, even during times of change and crisis'. The same
could presumably be said about ASEAN, a security community aspirant,
whose present personality as a diplomatic community does not preclude
its core members from the obligation to persuade its less committed col-
leagues to stay true to their collective cause even when it hurts. And if
even socialized actors require occasional nudges to stick with the institu-
tional consensus or proceed with approved change, it leaves open the
possibility that Myanmar's recent developments, even if motivated by a
string of crises, could have involved socialization.

5 Conclusion: persuasion as strategy or apposition?

This paper has sought to understand the crucial role that persuasion, or
peer pressure, plays in the intra-ASEAN relations. As a consensus organ-
ization with no viable mechanism for enforcing compliance, ASEAN has
no recourse other than peer pressure for convincing, coaxing, and even
cajoling its members – all 'cats' with their respective national priorities –
toward achieving desired policy outcomes. Despite their stopgap release
of their 'Six-Point Principles on the South China Sea' in the wake of the
fiasco at the ASEAN Ministerial Meeting in Phnom Penh in July 2012,
the inability of the other ASEAN countries to persuade Cambodia, in its
role as chair of ASEAN for 2012, to agree to the contents of the pro-
posed communiqué constitutes a failure of peer pressure. In the three
cases examined above, persuasion appears to have been the key to bring-
ing about such outcomes, or something close enough. In all three

instances, the contention that the outcome wished for by the persuaders could have been obtained by force or coercion does not really hold water. Indonesia is the biggest and most populous state in Southeast Asia. The notion that smaller and weaker neighbors could have impelled the New Order regime to participate in a new regionalism designed to counterbalance Indonesian hegemony is dubious. Nor could the pro-charter ASEAN states have forced their reluctant counterparts to accept a charter against their will. The contents of the ASEAN Charter are proof-positive that deep compromises were made to assuage the concerns of the newer ASEAN members. Nor could ASEAN have coerced Myanmar to open its doors to foreign assistance following Nargis, or implement its roadmap for reconciliation and liberalization. When pressed by his fellow parliamentarians on how ASEAN and Singapore intended to respond to Myanmar following its forceful repression of protests in 2007, Singapore's foreign minister answered:

> I know a number of Members in this House would like ASEAN to cut off all links with Myanmar. But this would only give us short-term satisfaction. On our own, our economic influence is not significant. If we in ASEAN boycott Myanmar, we would lose our moral influence which is not insignificant. Such an approach would only worsen the long-term position for us. In any case, the preference of all the ASEAN countries is to continue engaging Myanmar and keeping it in the family. (MFA, 2007)

Besides material threats, outcomes triggered by crises comprise another possible objection against persuasion. Crises, if severe enough, could even be game changers (Collier and Collier, 1991). Certainly, each of the cases addressed above involved a crisis, real or imagined. Here too there are reasons why crisis alone does not fully explain why Indonesia threw in its lot with ASEAN, why ASEAN states established a charter, or why Myanmar chose to open up its polity. The strategic crisis – the post-Vietnam US withdrawal from Southeast Asia – that likely led states such as Singapore and Thailand to pursue regionalism would not have been shared by Indonesia, which preferred a strategically nonaligned Southeast Asia. Nor did the ideological crisis at home in 1965–66 – Sukarno dallied with Indonesian communists, while the staunchly anti-communist Suharto purged them – had a significant impact since Suharto's New Order regime was more or less firmly established before

the formation of ASEAN. The vision and plan for an ASEAN Community (and, linked to that, the establishment of the ASEAN Charter) are undeniably a big part of ASEAN's riposte to the 1997–98 financial crisis that blighted East Asia. The drive to shore up ASEAN's defenses against such shocks could even have strengthened the pro-charter forces' hand against reluctant member countries. But a charter that codified existing norms rather than innovating or localizing new ones strongly suggests other factors at work which mitigated the impact the perception of crisis could have had in producing a robust legal instrument. Finally, the post-Nargis humanitarian crisis doubtless had a role in forcing Myanmar to open up. But as I have sought to show, socialization also had a role.

Do ASEAN and/or ASEAN countries persuade and pressure their peers on strategic and pragmatic grounds, or because they firmly believe the outcome they desire for their peers is socially the most appropriate? Strategic intentions of persuaders in the three cases discussed here undeniably exist: Malaysia or Singapore requiring Indonesia's commitment to regionalism to ensure its own survival as a nascent sovereign entity; 'old' ASEAN wanting a charter and the regional community it facilitates to accrue greater economic and diplomatic benefits for themselves and the region; ASEAN desiring a behaving Myanmar so that the world would take ASEAN seriously. And as the foregoing discussion has shown, pragmatic considerations in the decisions of the persuaded to 'give in' to peer-group pressure also exist. But as Johnston and Barkin have shown via their respective studies, strategy and socialization are not mutually exclusive. Both make for successful persuasion.

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