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Ethnic Politics, Political Security, and the Selective Application of the Non-Interference Principle within ASEAN

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Under what conditions do member states of the Association of Southeast Asian Nations (ASEAN) comply with or deviate from the non-interference principle? And how would intervention affect the regional norm of non-interference? Few studies address these questions from the perspective of ethnicity. This article argues that a state's domestic political competition along ethnic cleavages may drive it to intervene in another state's ethnic conflict. Whether this intervention undermines the non-interference principle depends on the target state's response: politically secure leaders may accept it, while insecure leaders are likely to resist. Such interaction between states can affirm, violate, or transcend the ASEAN principle of non-interference. This theoretical proposition is tested with three state dyads: Thailand-Myanmar, Malaysia-Thailand, and Malaysia-Philippines.

Keywords ethnic intervention, non-interference, political security, ASEAN, regional norms

Introduction

Extensive literature demonstrates that civil ethnic conflict and the presence of transborder ethnic ties will incur external intervention and increase the probability of interstate conflict. This is especially true when a transborder ethnic group is the disadvantaged or minority group in the state where the ethnic conflict occurs, and the privileged or majority group in the intervening state (Davis and Moore 1997; Woodwell 2004). For the politicians of the intervening state, lending support to co-ethnic insurgents may enable them to either gain support from domestic constituents (Saideman 2001) or divert public attention away from domestic problems (Haynes 2016). In this theoretical context, Southeast Asia appears to be an anomaly. Many Southeast Asian countries have suffered from prolonged ethnic conflicts. Furthermore, the region has many transborder ethnic groups, many of which fall into the category of "majority-

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minority" or "advantaged-disadvantaged" across states. A few examples include the Vietnamese in Vietnam and Cambodia, the Chinese in Singapore and Malaysia, the Thai and Shan people in Thailand and Myanmar, and the Malaysian Malays and their ethnic kin in Singapore and the southern provinces of both Thailand and the Philippines. However, unlike in other regions such as Africa and the Middle East, Southeast Asia's civil ethnic conflicts have not escalated to interstate conflicts.

Many regional experts attribute the peaceful relations among Southeast Asian countries to the establishment of the Association of Southeast Asian Nations (ASEAN) and the norms it espouses (Kivimäki 2001). Since the founding of ASEAN in 1967, member states have committed themselves to the principle of non-interference. ASEAN members' adherence to the principle of non-interference, noted Singapore's then-foreign minister, Shunmugam Jayakumar, in 2001, was "the key reason why no military conflict had broken out between any two member countries since the founding of ASEAN" (quoted in Acharya 2001, 150).

Some researchers, however, challenge this conventional assessment. Indeed, a close look at the practices of ASEAN member states reveals that the non-interference principle has never been absolute, and compliance never perfect (Khoo 2004, 40). This begs the questions, "What explains ASEAN members' selective application of the non-interference principle?" and "How does the norm of compliance to the principle evolve?" Existing research on ethnic conflict sheds light on these questions. Building on this body of literature, this article argues that domestic ethnic politics drive ASEAN states to intervene in each other's ethnic conflicts. This article also identifies a limitation of existing research. Most studies focus on the attributes of both the intervening state and the occurrence of ethnic intervention, which is a line of inquiry predicated on the assumption that ethnic intervention necessarily leads to interstate conflicts and the degradation of regional norms. This article challenges that underlying assumption by arguing that interaction between the intervening and target states may lead to different outcomes; namely, the reaffirmation, the violation, or the transcendence of the non-interference principle. Using Putnam's (1988) two-level game theory to explain variations in target states' reactions to external interventions, this article contends that insecure leaders are more likely to resist. Conversely, a politically secure leader will be more amenable to benign intervention. Cooperation between the two states for conflict resolution will increase mutual trust and encourage states to transcend the principle of non-interference. This article uses three cases of state dyads in Southeast Asia to illustrate this theoretical framework: Thailand-Myanmar, Malaysia-Thailand, and Malaysia-Philippines.

Existing Literature

Beyond Non-interference or Selective Application?

Non-interference has been a principle espoused by ASEAN since its founding in 1967. As Acharya (2001, 73-74) notes:

> [T]he doctrine of non-interference in the context of ASEAN has not meant indifference to each other's domestic needs or strict impartiality in their domestic power struggles. It has meant that ASEAN members have been willing to provide assistance to help each other to counter threats to domestic stability…

Scholars agree that a shared sense of vulnerability explains the establishment of ASEAN and member states' espousal of the non-interference principle. Nevertheless, the resilience of the principle is debated. Many observers argue that, even in the post-Cold War era, concerns over regime security continue to discourage ASEAN leaders from diluting the principle (Ramcharan 2000, 81; Narine 2004). In contrast, others maintain that the non-interference principle is under severe strain and that some members are consequently moving beyond their traditional positions toward supporting a more active, but also more intrusive, ASEAN (Busse 1999, 56; Acharya 2001; Katsumata 2004).

Departing from these two assessments of the status of the non-interference principle among ASEAN states, a third line of argument suggests that the principle has evolved in a "two steps forward, one step back" pattern. The conventional belief that ASEAN members adhered to the principle during the Cold War then increasingly relaxed it in the post-Cold War era is misleading. It is also problematic to conclude that member states have fully internalized the norm of non-interference. Instead, ASEAN states' adherence to non-interference or other norms has always been contingent upon their national interests, which are in turn subject to constant change (Khoo 2004, 40-41; Nischalke 2002). In view of this, many researchers have made efforts to generalize the conditions under which ASEAN states would uphold or neglect the non-interference principle or ASEAN norms in general. Jones (2010), for instance, holds that whether non-interference is espoused or ignored depends on the interests of the region's dominant social forces. Hsueh (2016) finds that ASEAN's effectiveness in promoting peace among member states hinges on their economic performance—when leaders are not able to maintain good economic performance, they tend to ignore ASEAN norms and provoke disputes. Similarly, Aizawa's (2019) research on Indonesia demonstrates that the country's willingness to push ASEAN members to act beyond the non-interference norm is conditioned on pressures exerted by non-ASEAN countries.

This article contributes to the literature on the selective application of the non-interference principle within ASEAN. It examines non-interference from a new perspective—ethnicity—and asks how ethnic conflict and its

internationalization will affect the evolution of the non-interference principle. As demonstrated below, existing literature suggests that civil ethnic conflict is a major source of interstate conflict. In Southeast Asia, many countries have experienced ethnic strife. Countries such as Thailand, Myanmar, and Indonesia are still suffering from active ethnic insurgencies. Yet, few studies have discussed the impact that ethnic conflict may exert on regional norms. This article demonstrates that there are important uncertainties associated with ethnic intervention, which may either undermine the non-interference principle or encourage states to move beyond it.

Why Do States Intervene in Ethnic Conflicts?

Outside the niche of ASEAN studies, extensive literature exists about the internationalization of ethnic conflict. Yet, most research focuses on the attributes of the intervening state, maintaining that political competition along ethnic cleavages may propel a state to intervene in another's ethnic conflict, thus violating the principle of non-interference. Saideman (2001, 8, 23), for instance, contends that support for ethnic kin abroad can be a litmus test for a politician's sincerity on ethnic issues at home, and that politicians who face competition will be more motivated to please their constituents and initiate intervention. Nevertheless, researchers disagree on the origins of ethnic politics. Many scholars focus on the ethnic composition of the intervening state. According to this line of investigation, states with a particular type of ethnic structure are susceptible to ethnic mobilization, and thus more inclined to pursue an ethnic foreign policy. Some scholars, for example, contend that states are more capable of making a decision to intervene in ethnic conflict abroad when a single ethnic group dominates the policy-making process at the national level (Carment and James 2000, 176-7). In contrast, in a highly heterogenous state, the leadership's own ethnic group tends to be small, and leaders are consequently more likely to dilute ethnic identities within the state and refrain from seeking ethnic interests in foreign policy-making (Suzuki 2019, 59-60). Nevertheless, some evidence suggests that the relationship between intervention propensity and the size of the dominant group is likely to be a non-linear one. This is because in a highly homogenous state, ethnic identity is less likely to gain political salience.

Researchers have also noted that not all ethnically-divided societies suffer from conflict. Well-designed political institutions give politicians reasons to seek support across ethnic lines, and thus encourage moderate policy positions. Consequently, the risks of ethnic outbidding and ethnic conflicts would be mitigated (Horowitz 1985; Lijphart 1991). In the field of research that examines the international relations of ethnic conflicts, domestic institutions are also considered to be important. Democratic institutions impose constraints on leaders, which reduces the probability of ethnic intervention (Horowitz 1985; Lijphart 1991; Carment and James 2000; Suzuki 2019, 61). Some scholars find

that democracies are less likely to support secessionist groups emerging from other democratic states, which they attribute to the normative belief that liberal democracy provides minorities with internal self-determination (Bélanger, Duchesne, and Paquin 2005, 440).

The "democratic constraints" argument, however, suffers from some limitations. First, some evidence indicates that democracies are, in fact, more likely to venture into ethnic interventions than autocracies (Koga 2011). Second, it is worth pointing out that institutional constraints may break down. Literature on divided societies has long suggested that prospects for democracy are a function of ethnic politics (Rabushka and Shepsle 1972, 86-87; Horowitz 1993, 28). Third, although electoral rules that can contain domestic ethnic outbidding have been specified, limited attempts have been made to elucidate which institutional constraints may prevent states from pursuing ethnic-interests in foreign policy-making. It is often observed that a leader who adopts moderate positions on domestic political issues may act to support his ethnic brethren abroad on humanitarian grounds. Illustratively, in Malaysia, domestic ethnic outbidding is constrained by power-sharing mechanisms among political elites. Nevertheless, Malaysia has long been a vocal defender of Malay minorities in other Southeast Asian countries (Jalil 2008).

While the origins of ethnic politics demand further inquiry, it is beyond the scope of this study. Instead, this article treats ethnic politics—defined as political competition and mobilization along ethnic cleavages—as one of the independent variables, and examines how interventions that are driven by ethnic politics influence the evolution of the non-interference principle. The following section presents the theoretical framework of this study.

Theoretical Framework: Regional Norms and State Interaction

The Effects of Regional Norms

This article adapts the theoretical perspectives discussed above to the ASEAN context. Drawing on previous studies, it defines ethnic intervention as actions taken by a state or an organized political group within a state to influence or intervene in an ethnic conflict occurring in another state. This type of intervention is often motivated by transborder ethnic ties or a shared identity between the intervening state's dominant ethnic group and the co-ethnic group involved in the conflict of another state. Ethnic intervention can manifest in multiple forms, including the provision of material, political, or diplomatic support to a co-ethnic group, promoting peace and negotiation, or, in some cases, using force. On this basis, this article argues that, although domestic ethnic politics propels leaders to intervene in ethnic conflicts abroad, regional norms like non-interference and non-use of force impose obligations on ASEAN states.

Notably, existing research on ethnic intervention tends to underestimate the importance of international and regional norms. Saideman (2001, 218), for instance, contends, "The norm of territorial integrity did not seem to inhibit states motivated by ethnic politics." Woodwell (2007, 28) maintains that leaders are pressured by conflicting norms, namely the societal norms of nationalism and self-determination, and that the existence of a transborder ethnic group would promote the "specificity" of self-determination and encourages foreign intervention. The literature, however, does not explain why, even though there are numerous transborder ethnic groups and active ethnic insurgent groups, ASEAN states have maintained peaceful relationships. This article argues that ethnic politics and the norm of self-determination versus regional institutions and the norm of sovereignty do not simply "cancel one another out" (ibid., 4) as the existing literature suggests. Instead, leaders may reconcile demands from domestic and international levels by adjusting the means of intervention. In other words, regional norms do not only affect whether states would intervene, but also *how* they would do so.

Illustratively, ASEAN member states, to a large extent, have abandoned the use or threat of force against states hosting ethnic conflict and refrained from providing high-level material assistance to insurgents. Member states are aware that forceful intervention may result in the breakdown of regional institutions and the intervenor itself becoming a potential target of intervention. Even regional powers, such as Malaysia and Indonesia, are deeply concerned with regime security and potential intervention by extra-regional countries. Moreover, collapse of regional institutions would also jeopardize cooperation in other issue areas. To balance short-term electoral interests and long-term regime and national interests, ASEAN member states often appeal to moderate means of intervention, which may include expressing concerns publicly, attracting international attention to the conflict, refusing to impose border control or repatriate suspected insurgents, as well as benign intervention exemplified by facilitation or mediation of a peace process.

For the host state, regional norms also influence how it may react to potential intervention. Some scholars find that states suffering from active ethnic rebellions have an increased likelihood of behaving aggressively at the international level, using force either for diversionary or preemptive reasons (Haynes 2016). Yet, in the ASEAN context, the norm of non-interference inhibits opportunistic invasions and coercive interventions by third states. At the same time, it also deprives the leader of the host state of "conflict opportunities," and thus precludes the diversionary use of force. Moreover, the norm of non-interference alleviates the host state's sense of vulnerability and its suspicions about the intervening state. When facilitation is offered by an intervening state in the context of the ASEAN non-intervention principle, the host state has more reason to believe that the intervening state will act as an honest broker.

State Interaction

By applying Putnam's (1988) two-level game theory to analyze the target state's reaction to external intervention, this study argues that once facilitation or mediation is offered, the leader of the host state is involved in a two-level game. At Level I, the host state leader negotiates directly with ethnic insurgent groups, often under the influence or participation of a third-party state or international body. These negotiations can involve sensitive institutional arrangements, such as granting autonomy to the ethnic minority. At Level II, however, the peace agreements face domestic scrutiny, requiring approval from key veto players, such as the legislature or political elites, who often represent the interests of the majority ethnic group. For the host state and its leader, the involvement of another state has pros and cons. On the one hand, the intervening state's concerns over its ethnic brethren will be alleviated if it participates in the peace process, which would in turn mitigate the negative impact that ethnic conflict exerts on interstate relations. Moreover, a third party's participation could significantly facilitate the peace process. As an honest broker, the intervening state can rely on ethnic ties to build trust between the insurgent group and the host state. International pressures may also "reverberate" (ibid., 454) within domestic politics, tipping the domestic balance. Consequently, the leader, who privately wishes to resolve the conflict at home, may draw on international pressures and assistance to facilitate domestic reform and achieve reconciliation between ethnic groups. On the other hand, involvement of another state entails risk. Intervention may further enhance transborder ethnic alliances and weaken the host state's sovereignty. In comparison with other issues, that of nation-building is more sensitive and can easily be politicized. As "groups who are less worried about the costs of no-agreement" (ibid., 445) are activated and mobilized, the win-set size dwindles. A peace agreement achieved by the leader may not be ratified by the constituency; even worse, concessions made by the leader, such as rendering the minority more autonomy, might be attacked by their opponents. His political standing in domestic politics might be undermined.

This article posits that a leader's political security is a key factor in determining their openness to external intervention. According to Putnam (ibid., 449, 451), when decision-makers enjoy greater autonomy from their constituents and higher political standing at home, their win-sets tend to be larger and they are more likely to achieve international agreements. Drawing on this theoretical perspective, this article argues that when a leader enjoys a solid political base, the win-set tends to be larger. Such leaders can afford to be more flexible in their international negotiations because they have the political capital necessary to secure domestic ratification of an agreement and the leverage to manage any potential backlash from domestic actors. Therefore, the leaders are more likely to welcome third-party involvement in the peace process. Leaders like Aquino III of the Philippines, for example, who enjoyed strong popular support, could afford to

endorse Malaysia's involvement in the Mindanao peace process, using his political security to push the agreement forward. The participation of a trusted third party, such as Malaysia, not only facilitated the negotiations but also helped build trust between the insurgents and the government. On the contrary, leaders with weak or precarious political standing face much greater constraints. Their win-sets are smaller because they must contend with strong opposition from domestic veto players, such as the military, bureaucratic elites, and/or influential political factions. These leaders are often wary of external intervention, fearing that any concessions made during international negotiations will be politically unpalatable at home, potentially undermining their already fragile position. For such leaders, even well-intentioned third-party involvement can be perceived as a threat to their domestic legitimacy. In these cases, the leaders may resist or severely limit external intervention to avoid making concessions that could be exploited by domestic rivals. For example, civilian leaders in Thailand have historically been constrained by numerous domestic veto players, including the monarchy and the military. This fragmented domestic landscape has made Thai leaders deeply suspicious of external intervention, as any agreement that is interpreted as compromising national sovereignty or integrity could provoke fierce domestic backlash.

As discussed above, in the ASEAN context, the norm of non-interference inhibits aggressive behavior. Meanwhile, as constructivists point out, the intersubject knowledge itself is also affected by the interaction among states. Interaction between intervening and target states generates different implications for the evolution of regional norms. Even if transborder ethnic ties are present, a state is less likely to venture into ethnic intervention when there are cross-cutting cleavages in its domestic politics and ethnicity is not politically salient. Over time, the norm of non-interference is likely to be internalized by the relevant state and become a source of ASEAN identity, just as many constructivists have conceived (Busse 1999; Acharya 2001). On the contrary, when its domestic political competition is ethnicity-based, the state is more likely to initiate intervention and lend support to their ethnic brethren abroad. Faced by ethnic intervention, an insecure leader of a target state is likely to resist another state's involvement. In response, the intervening state may adopt more intrusive means of intervention, and the non-interference principle will be undermined. It is worth clarifying that the exchange of hostilities between states are often periodic. Interstate tensions tend to accumulate when ethnic conflict escalates, or when ethnic outbidding in the intervening state intensifies during campaign period. Nevertheless, ethnic problems have a lasting impact on state interaction and regional norms. Because the intervening state's concerns over its ethnic brethren are not satisfactorily addressed, the host state of the ethnic conflict is a constant potential target for ethnic intervention. Mistrust between the two states will grow, and regional norms will be undermined over time and are unlikely to serve as the basis from

Table 1. Case Selection and Expected Outcomes

Cases	Control Variable	Independent Variable		Expected Outcome
	Ethnic Ties	Ethnic Politics (intervening state)	Leader's Political Security (target state)	
Thailand-Myanmar	Thai-Shan	No	Not relevant (no intervention initiated)	Non-interference reaffirmed
Malaysia-Thailand	Malay-Malay	Yes	Weak	Non-interference violated
Malaysia-Philippines	Malay-Moro	Yes	Strong	Non-interference transcended

Source: Author.

which a common identity might emerge. Interstate mistrust and the violation of the non-interference principle, however, are not the only possible outcomes of external intervention. A leader who enjoys a solid support base at home may accept another state's intervention, or even invite the latter to play a constructive role in conflict resolution. Interaction as such will foster trust and encourages states to move beyond the non-interference principle.

This article examines three cases on of interstate ethnic conflict that have both independent and control variables (see Table 1). All three state dyads involve transborder ethnic groups that fall into the majority-minority category, and all the relevant states are founding members of ASEAN. The three cases, however, differ in terms of their independent variables (the ethnic politics of the intervening state and the level of political security of the host state's leader). In the Thailand-Myanmar case, Thailand is a potential intervening state with ethnic ties to the Shan people in Myanmar. Nevertheless, political competition in Thailand does not unfold along ethnic lines. The theoretical framework proposed in this article anticipates that Thailand will refrain from intervening in Myanmar's ethnic conflict, thereby reaffirming the non-interreference principle. In contrast, ethnic politics is highly salient in Malaysia, which is expected to take a more active role in the ethnic conflicts in southern Thailand and the Philippines. However, the political standing of the Thai and Filippino leaders differ, as does their response to external intervention. As a result, Malaysia's interaction with these two states results in contrasting outcomes.

Case Studies

Thailand-Myanmar: Absence of Ethnic Politics, Non-interference Maintained
The Shan population is considered to be the largest ethnic minority group in Myanmar, constituting about nine percent of the country's total population (Central Intelligence Agency 2020). Most Shan are concentrated in Myanmar's northeastern Shan State, which shares borders with China, Laos, and Thailand. In 1958, the Shan ethno-nationalists launched the first armed resistance group against the Myanmar government. Nowadays, there are two major Shan armed organizations—the Shan State Army-North and the Shan State Army-South. The former serves as the armed wing of the Shan State Progress Party, while the latter is the armed wing of the Restoration Council of Shan State. Both organizations have signed ceasefire agreements with the government, but neither has its armed wing fully transformed to the Border Guard Forces or militias under the Tatmadaw's command and supervision (Graceffo 2024).

Due to armed conflicts and economic hardship in the Shan state, hundreds of thousands of Shan people have fled to northern Thailand in the past decades. Since the 2021 coup, nearly fifty thousand refugees have crossed into Thailand to flee fighting and seek protection (UNHCR 2024). Compared with the Karen and other ethnic groups from Myanmar, the Shan are better able to assimilate into Thai society due to their ethnic and linguistic similarities to the Thai (Jirattikorn 2017, 84). Although ethnologists debate the place from which the Tai peoples originated, they agree that the Shan of Myanmar, the Thai of Thailand, the Dai of China, and the Lao of Laos share the same ethnic origin (Wijeyewardene 1990, 49). The Shan not only speak Thai, but also profess Theravada Buddhism. Many Thai elites view "Thai-ness" as rooted in both language and religion (Keyes 1996, 150) and thus perceive ethnic affinities with the Shan. During World War II, to bolster its legitimacy, the Phibun government propagated the notion of the great Thai race and the brotherhood of Tai peoples in mainland Southeast Asia, calling for the return of lost territories, such as the Malay states and the Shan states (Winichakul 1994, 150-6; Murashima 2006). Plenty of empirical evidence exists about the persistence of affective ties between the Shan and the Thai in present-day Thailand. For instance, contemporary Thai officials refer to the Shan as *pee nong* (brothers and sisters) of the Thai people (Jirattikorn 2017, 84). Similarly, Thai media depicts the Shan and Thai as ethnic cousins, while the Burmese are often portrayed as old enemies who destroyed the Ayutthaya Kingdom (Jirattikorn 2011, 30-33). Shan people do not lack sympathizers among the Thai. As Jirattikorn (ibid., 30) observes, the Shan insurgent groups are able to solicit certain support from Thai society.

Nevertheless, Thailand, to a large extent, has refrained from intervening in Myanmar's domestic conflicts on behalf of its ethnic kin. Historically, Bangkok's involvement in these conflicts was motivated primarily by security or economic

considerations. During the Cold War, insurgent ethnic groups, such as the Shan State Army, received material assistance from Bangkok and were utilized by the latter as buffer states to block the advance of communist forces (Smith 2007, 17). Yet, no lasting transnational ethnic alliance has formed between Bangkok and the Shan insurgent groups. It is also worth pointing out that Bangkok's stance on Myanmar's ethnic conflict is determined by security and economic interests, which are subject to constant change. In late 1988, while Western countries were condemning Myanmar for human rights violations, Thailand started to pursue a closer relationship with the military government. Thailand's Army Commander, General Chavalit Yongchaiyudh, was the first foreign leader to visit Myanmar since the coup in September 1988. This new policy was later called "constructive engagement." In exchange for business opportunities in Myanmar, Bangkok initiated cooperation with the Tatmadaw (Myanmar's military), allowing the latter to use Thai territory in their "hot pursuit" of ethnic insurgents (Acharya 2001, 128).

Thailand played a key role in shaping ASEAN's relations with Myanmar. Its constructive engagement was elevated to an ASEAN policy toward Myanmar in 1992 (Buszynski 1998, 294). As Acharya (2001, 129) characterizes, the essence of ASEAN's constructive engagement was to "reject interference by the outside powers, especially the Western countries, in Burma's internal affairs." In 1994, Thailand invited Myanmar to attend the ASEAN meeting in Bangkok for the first time (Chongkittavorn 2001, 122). Myanmar acquired observer status in 1996 and became a member state of ASEAN the following year. Between 1992 and 1997, despite the Tatmadaw's continuous incursions into Thai territory and increasing domestic criticisms, successive Thai governments maintained the policy of constructive engagement (Buszynski 1998, 295-301).

Since 1997, Thailand has pursued a more assertive policy toward Myanmar. To a large extent, this foreign policy reorientation was an outcome of the democratization of Thai politics (Jones 2010, 491). The Democrat Party, led by Chuan Leekpai, won the election held in November 1997. To enhance its democratic credentials, the Chuan government made the promotion of democracy and human rights a key goal of its foreign policy. As opposed to the constructive engagement that lent support to Myanmar's military government, the Democrats proposed a policy of "flexible engagement," which would encourage ASEAN states to comment frankly on each other's domestic affairs. At this point, regional institutions played a role and contained ASEAN member states' temptations to intervene. The idea of flexible engagement was immediately shot down by other ASEAN states, including Malaysia, Singapore, and Indonesia, and the non-interference principle was reaffirmed (Ganesan 2006, 139-40; Acharya 2001, 178). During Chuan's second term, the bilateral relations of Thailand and Myanmar deteriorated rapidly, which eventually led to a series of border clashes and diplomatic tussles (Than 2001, 155). Nevertheless, Thailand's

policy towards Myanmar was largely in compliance with the non-interference principle. Bangkok neither provided assistance to the Shan insurgents, nor did it seek to attract international attention to Myanmar's ethnic strife. When the International Labor Organization decided to impose sanctions on Myanmar in late 2000, the Thai government voted with other ASEAN members to support Myanmar (Chongkittavorn 2001, 140).

Despite the presence of ethnic ties, Thailand did not initiate ethnic intervention against the will of Myanmar government. Indeed, the spillover effects of Myanmar's domestic conflicts, such as the Tatmadaw's incursion of Thai territory and drug smuggling, have raised Bangkok's concerns. Yet, unlike intervention caused by ethnic alliance, attempts to manage the spillover effects do not exert lasting impacts on bilateral relations. Illustratively, Thaksin Sinawatra, who came to power in Thailand in 2001, dropped all conditions for human rights improvements and endeavored to promote trade relations with Myanmar in exchange for the latter's cooperation on a campaign against narcotics (ibid., 128). Bilateral relations between Bangkok and Naypyidaw were soon repaired. With respect to Myanmar's national reconciliation, apart from providing logistical support, Thailand has shied away from playing a role in the facilitation of its peace process (ibid.). Since the 2021 coup, Thailand has maintained an affable relationship with Myanmar's State Administrative Council. While sanctions were imposed internationally, Thailand remained the third-largest foreign investor in Myanmar in 2023 (Chambers and Chotisut 2024).

Thailand's lack of interest in defending its ethnic kin abroad can be attributed to the characteristics of its domestic politics. Conventional wisdom holds that Thailand is an ethnically homogeneous country. Yet, recent research increasingly challenges this proposition, and scholars have noted that Thailand's national homogeneity is nothing more than a myth (Chachavalpongpun 2010). Nevertheless, in Thailand, ethnic cleavages remain apolitical. The absence of ethnic politics may be attributed to the endeavor of Thai state elites, since the late 19th Century, to create a Thai identity (Ricks 2019). As Wijeyewardene (1990, 68) points out, there is constant pressure to stress the "Thai-ness" of the citizenry—Malays are "Thai-Islam" or "Thai-Muslim," the Lao are "Thai-Isarn," and the hill people are "hill Thai." Unlike many Southeast Asian countries, Thailand's large Chinese population has long been integrated into Thai society and gained a Thai identity.

In divided societies, ethnic conflict is at the center of politics, and political parties break along ethnic lines (Horowitz 1985, 12). Consequently, ethnic outbidding becomes more likely to materialize and may, in turn, affect the country's foreign policy. In contrast, political competition in Thailand is class and region based. In the past two decades, the most intense competition in Thai politics has been between Thaksin Shinawatra and his supporters on the one hand, and the old establishment forces comprising the monarchy, the military,

and the bureaucracy on the other hand (Chachavalpongpun 2011, 1019). The two sides gain support from different social strata—the rural poor versus the urban middle and upper classes, respectively (Jäger 2012). Ricks (2019) observes that there is indeed a confluence of ethnicity, socioeconomic status, and party loyalty. To be more specific, the Lao people of northeastern Thailand are often found to be supporters of the Thai Rak Thai Party and its subsequent incarnations, while the Democrat Party solicits support from the Thai-speaking people of the central plains. However, as Ricks (ibid., 259) contends, "broad-scale pride in being Thai" among voters overcomes ethnic differences and precludes ethnic mobilization by political elites.

Due to the absence of ethnic politics in Thailand, Thai politicians have refrained from initiating ethnic intervention and lending support to their ethnic brethren in Myanmar. Instead, Bangkok's involvement in Myanmar's ethnic strife was motivated primarily by security and economic interests. More importantly, in its pursuit of material interests, Thailand assisted the Myanmar government to consolidate sovereignty. The principle of non-interference was, therefore, largely maintained.

Malaysia-Thailand: Ethnic Politics, Insecure Leader, and Non-interference Undermined

Malay Muslims constitute the majority of Thailand's southern provinces: Pattani, Yala, and Narathiwat. In history, Greater Patani, one of the largest Malay states in Peninsular Malaysia, ruled this region for about four hundred years until it was absorbed by the Siamese Empire in 1785 (Harish 2006a, 50; Jalil 2008, 123). Despite the politically-imposed divide, the affective ties among the Malay communities have been sustained. After the Second World War, a number of Thai Malay ethno-nationalist organizations emerged. Many of these organizations were founded in Malaysia and received support from their ethnic kin (Jalil 2008, 133-42; Che Man 1990, 34). Nowadays, Malays living on both sides of the Thai-Malaysian border still maintain close contracts. Thai Malays enter Malaysia to purchase daily necessities, visit relatives, look for job opportunities, and seek shelter when conflicts escalate (Funston 2010, 237). The pan-Malay sentiment is popular among some of the insurgents and Thai Malays (International Crisis Group 2012, 4). Meanwhile, Malaysian Malays also hold sympathy for their ethnic brethren, and resent Thai governments, the Thaksin Shinawatra government in particular, for their heavy-handed action against the Thai Malays (Burton and Kazmin 2004; Harish 2006b). Many Malaysian Malays support intervention led by their own government, ASEAN, or the Organization of Islamic Conferences (OIC) (Jalil 2008, 28; Netto 2004).

For the two governments, transborder ethnic ties have long been a source of mistrust and discord. Despite both countries being founding members of ASEAN, neither side has taken the norm of non-interference for granted. Illustratively,

a survey shows that back in the 1980s, a majority of Thai elites considered Malaysia as a threat in the form of "subversion through minority groups" (quoted in Alagappa 1987, 214-5). It is widely held that during the Cold War, Kuala Lumpur 's non-support for Malay insurgents was contingent upon Bangkok's cooperation with the military campaign against the Communist Party of Malaya (Ibid., 228-31). In the post-Cold War era, ethnic violence in southern Thailand continued to poison bilateral relations. In 2004, the southern conflict escalated dramatically and caused a series of diplomatic tussles between Bangkok and Kuala Lumpur. In response to the 2004 Tak Bai incident, in which about eighty detained Malay demonstrators died due to suffocation in Thai army trucks, the Malaysian parliament unanimously passed a motion, condemning the Thaksin government (*Bernama* 2004). Decision-makers in Kuala Lumpur also turned down Bangkok's request for the repatriation of refugees, some of whom, according to Bangkok, were suspected insurgents (Funston 2010). Antagonized by Kuala Lumpur's stance, the then Thai Prime Minister Thaksin threatened on the eve of the 2004 ASEAN Summit that he would "fly back home" if Malaysia raised the southern Thai issue (ibid.).

Malaysia's willingness to challenge the non-interference principle can be attributed to ethnic politics at home. In the literature on divided societies, scholars applaud the multiethnic alliance in Malaysia, namely the Barisan Nasional (BN) and its predecessor, the Alliance, for it encourages politicians to pursue moderate policies on ethnic issues. Nevertheless, it is worth emphasizing that a multiethnic alliance does no terminate ethnic politics. As Horowitz (1985, 410, 413) contends, the establishment of a multiethnic alliance will inevitably be followed by the formation of parties on the ethnic flanks, who tend to take extreme positions and express unmitigated ethnic claims. In Malaysia, a major challenge faced by the United Malays National Organization's (UMNO) comes from the Parti Islam Se-Malaysia (PAS). The two parties have long been competing for support from the Malay-Muslim community. After Thailand's southern conflict escalated in 2004, PAS actively campaigned for Malaysian intervention, mobilized protests against Bangkok, and extended support to refugees (Jalil 2008, 149-50). It frequently criticized the BN coalition government for turning a blind eye to the misery of the Thai Malays. For instance, Abdul Hadi Awang, president of PAS, suggested that the Malaysian government should consider "which is more important: the fraternal ties between Malaysians and southern Thai Muslims or the diplomatic ties between the governments of Malaysia and Thailand" (*BBC* 2004). In fact, the Malaysian parliament's condemnation of the Tak Bai incident was also initiated by PAS representatives.

Against a backdrop of intra-ethnic competition, it would be unwise for decision-makers in Kuala Lumpur to cooperate fully with Bangkok. Strict compliance with the norm of non-interference would provide PAS with political ammunition. To avoid losing public support to their competitors, leaders of

UMNO lodged diplomatic protests. As the incumbents, however, leaders of UMNO had to strike a balance between domestic political needs and obligations imposed by regional norms. This explains why Kuala Lumpur has refrained from pursuing an extreme ethnic foreign policy. Most pundits agree that Malaysia has not provided concrete material support to the insurgent groups in southern Thailand (Funston 2008, 22-23).

Despite the fact that Kuala Lumpur persistently offered to mediate negotiations between Thailand and the ethnic insurgent organizations (Jalil 2008, 150), Bangkok viewed Kuala Lumpur's assistance with suspicion. Only in 2013 was Malaysia officially designated as a facilitator by the Yingluck government. Yet, the peace process known as the Kuala Lumpur Process collapsed after three meetings. Since then, dialogue has continued to stumble. Bangkok also declined Malaysia's requests for upgrading its status from "facilitator" to "mediator" (McCargo 2014, 10). According to Thai officials, mediation is not required because the country is not at war (International Crisis Group 2020). Since 2022, the conflict has seen a notable resurgence, yet peace have been on-and-off and have failed to go beyond negotiating brief ceasefires. Moreover, Malaysia often finds itself excluded from back-channel talks between the Thai government and insurgents (International Crisis Group 2023).

A crucial reason for Bangkok's vigilance regarding Kuala Lumpur's involvement is that, with respect to the peace negotiations, the Thai leaders' win-sets are small. Thai leaders fear that external intervention would force them to make concessions that they might not be ready to make. As others have pointed out, there are profound disagreement between Kuala Lumpur and Bangkok about conflict resolution (McCargo 2014). From the Malaysian perspective, some form of autonomy is the key to conflict settlement. For instance, Malaysian prime minister, Datuk Seri Najib Tun Razak, once suggested that the Thai government could offer self-determination for Thai Malays in such areas as religion and education (*The Star* 2009). However, in the political context of Thailand, decentralization and autonomy for the south have long been a taboo. Many Thai officials and citizens hold a traditional belief in unitary state structures, which are perceived as the key to the nation's success in averting colonization, resisting communism, and achieving socio-economic development (McCargo 2010, 265). In fact, peace dialogue with insurgents did not become the official policy of Thai government until 2013. Many Thai political elites still prioritize military victory over talks and view the peace talks simply as a means to persuade militants to lay down arms and/or to improve the regime's image (International Crisis Group 2016b, 16).

Apart from political tradition, the size of Thai leaders' win-sets is also affected by their political standing and chances of survival. Thai politics have long been known for high-level fragmentation and polarization. Since Thaksin Shinawatra was elected to government in 2001, the political wrangling among

multiple power centers, namely the civilian government, the monarchy, and the military, had significantly intensified. Domestic political turmoil not only paralyzed the political system and derailed the peace process (McCargo 2014, 5), but it also increased the political risks associated with a political settlement of the conflict. The two-level game theory suggests that a leader who fails to satisfy his fellow players at the domestic table risks being evicted from his seat (Putnam 1988, 434). Similarly, Thai leaders, either pro- or anti-Thaksin ones, feared that a decentralization reform would antagonize domestic constituents. As McCargo (2010, 266) contends, the bureaucracy, the police, the elected politicians, as well as the military all have vested interests in maintaining the current state structure, and the public also lacks sympathy for Malay Muslims. That being the case, anyone who supports substantive decentralization in Thailand's southern border provinces could easily be accused of disloyalty to the nation and the monarchy, and thus lose their office. While the Yingluck government managed to initiate the Kuala Lumpur Process, evidence nevertheless suggests that, even with a strong democratic mandate, the civilian government had to cave to the military's demands. Lawmakers of the Pheu Thai Party immediately dropped their proposal on the establishment of a special administration for southern provinces when General Prayuth Chan-ocha expressed his displeasure (International Crisis Group 2012, 16). The junta were also not willing to compromise. Lacking democratic credentials, the military can only justify its rule with the rhetoric of national security and unity. The National Council for Peace and Order (NCPO), who seized power in 2014, initiated the second peace process, but was unwilling to make substantive concessions. In fact, proposals for "special administration" again became a taboo under the NCPO (International Crisis Group 2016b, 15).

In sum, political insecurity of the successive Thai leaders explains their lack of resolve to seek change and conflict settlement, and their vigilance against Malaysia's involvement. At the height of the conflict, bilateral relations deteriorated rapidly. Malaysia's intervention and Thailand's protests indicate that ASEAN's non-interference principle was under constant challenge, and a collective identity based on regional code of conduct was yet to form. Although Malaysia was later accorded the role of facilitator, its concerns over ethnic kin have not been satisfactorily addressed. More importantly, mistrust between Bangkok and Kuala Lumpur persists. Some high-level Thai officers still see "dissidents residing in Malaysia" and "support from within Malaysia" as major obstacles to conflict resolution (Rakkanam 2015). Some even believe that Malaysia uses separatists to foment instability in Thailand and keep Thailand—an old rival of Malaysia—off balance (International Crisis Group 2020, 9). Ultimately, dictated by the needs of domestic politics, the two countries may continue to interact in a way that undermines non-interference norms.

Malaysia-Philippines: Ethnic Politics, Secure Leader, and Non-interference Transcended

The insurgency in the southern Philippines led by various Moro ethnic organizations has lasted over fifty years. The term "Moro" was first used by the Spaniards to refer to the Malay-Muslims inhabiting the Southern Sultanates of the country. In fact, the Moros are comprised of a collection of tribal groups, such as the Tausug, Maquindanao, Maranao, and Sulu (Minorities at Risk Project 2009). Like the other two cases presented in this study, transborder ethnic ties also exist between Malaysia and the Philippines. Historically, northeastern Borneo, the Sulu Archipelago, and parts of Mindanao and Palawan had been ruled by the Sultan of Sulu. Shared histories and ethno-religious ties give the Moros and the Malaysian Malays a common sense of belonging. During the Cold War, sixty-four Moro soldiers were executed by their Filipino commanders because the former refused to follow their orders to infiltrate Malaysia's Sabah state (Franco 2013, 216). After the outbreak of insurgency, the Moro leaders also received aids and military training from Tun Datu Mustapha Harun, who was the Chief Minister of Sabah between 1967-1975 as well as a Tausug himself. The transborder ethnic ties have been further strengthened by the influx of Moro refugees and illegal immigrants. As of 2013, some estimate that the number of Filipinos in Sabah had reached 800,000 in a total Sabah population of about 3.1 million (Mondelo 2013).

Malaysia has long been keen to defend the interests of the Malays in the Moro region. Syed Hamid Syed Jaafar Albar, former Foreign Minister of Malaysia, once stated that "the feeling of affection towards the Moros and the view that they are indeed part of us are the main motivating factor and the driving force for the Malaysia government to ensure the well-being of the Malays" (Jalil 2008, 232) in the Moro region. Kuala Lumpur consistently expressed concerns about the status of the Moros and acted to attract international attention to the conflict. For instance, due to Malaysia's diplomatic efforts, "the Question of Muslims in Southern Philippines" (Arguillas 2001, 98) has been on the agenda of the annual meeting of the Islamic Conference of Foreign Ministers since 1972. External pressure also propelled the Marcos regime to accept facilitation by the OIC and sign the 1976 Tripoli Agreement, which outlined an autonomous government for the Moros (International Crisis Group 2016a, 2). The agreement, however, proved to be political expediency, and the truce soon broke down. The Philippines continued to condemn Malaysia for offering assistance to the Moro insurgents (Tan 2000, 307-8).

Malaysia's stance on the Moro conflict is an interactive outcome of regional norms and domestic ethnic politics. Considering that the two countries also have a territorial dispute over Sabah, bilateral relations between Malaysia and the Philippines could arguably have been more conflictual if they had not joined ASEAN. In the early years of ASEAN, the principle of non-interference provided a focal point for interstate cooperation and inhibited the exchange of ethnic or

nationalist foreign policy. Decision-makers on both sides eventually reached a tacit agreement: Malaysia would refrain from supporting the Moro insurgents but not stop Tun Mustapha's assistance to them, while the Philippines would continue its counter-insurgency action, yet not press its claim to Sabah (Noble 1975, 453). Although Malaysia brought the Moro case to the OIC's attention, it also wrote a clause in the ICFM resolution of the Moro conflict that claimed that "the problem was an internal matter of the Philippines and should be solved within the framework of the country's national sovereignty and territorial integrity" (George 1980, 248).

Meanwhile, Malaysian leaders' capacity to fulfill international obligations is also constrained by domestic ethnic politics. Unlike Malaya, where Malay Muslims constitute more than half the population, no single ethnic group in Sabah makes up more than forty percent of the population (Chin 2018, 175). The non-Muslim and non-Malay Kadazandusun and the Murut are the largest indigenous groups in Sabah State. These indigenous groups do not perceive the Malayan ethnic Malays as their brethren, and regard UMNO's ideology as one based on "Malay Supremacy" and "Muslim Supremacy" (Chin 2015, 83; 2018, 175). The Party Bersatu Sabah (PBS), who represented the interests of the indigenous groups, ruled Sabah from 1985 to 1994. During this period, the relationship between the UMNO-led federal government and the Christian PBS-led state government was tense (Chin 2018, 84). To expand its support base, UMNO acted to "Malayize" (Sadiq 2005, 559) Sabah by allowing the Moros to settle inside the state. Consequently, Sabah experienced a dramatic demographic change—the proportion of indigenous peoples to Sabah's total population declined from 45.8 percent in 1976 to 21.6 percent in 2008, while that of Muslims increased from 37.5 percent to 60 percent (Chin 2015, 86). Some estimates suggest that during the administration of Mahathir Mohammad, about seven-hundred thousand foreigners, mostly Filipinos and Indonesians, received identity cards under the less-than-transparent "Project IC," and two-hundred thousand of these foreigners are on the state electoral list (Yunus 2014). As Moro immigrants and their decedents become indispensable constituents, decision-makers in Kuala Lumpur cannot turn a blind eye to the southern conflict of the Philippines.

In comparison with Thailand, the Philippines leaders in general tend to be more amenable to third-party involvement in conflict resolution. In 2000, Malaysia was invited by Gloria Macapagal Arroyo, the then Vice President of the Philippines to facilitate peace talks with the Moro Islamic Liberation Front (MILF) (Santos 2003, 4). Subsequently, Malaysia made great efforts to facilitate, and even mediate, the peace process. In 2004, the International Monitoring Team, a peacekeeping force led by Malaysia, arrived in Mindanao and acted to reduce armed clashes between the Philippine government and MILF. The peace process proved successful—the Philippine government and MILF signed the Comprehensive Agreement on Bangsamoro in March 2014 and established the

Bangsamoro Autonomous Region of Muslim Mindanao in 2019, which marked the end of the Moro separatist conflict (International Crisis Group 2019, 1).

Malaysia was allowed to play a bigger role in the Philippines' peace process because, in part, the Philippine presidents' win-sets in peace talks are relatively large. As the chief executive, Philippine presidents enjoy higher standing and more autonomy in the political system than their counterparts in parliamentary Thailand. Many researchers view the Philippines as an example of hyper-presidentialism, highlighting presidents' appointments, discretionary budgetary powers, and capabilities to circumvent legislative and judicial constraints (Rose-Ackerman, Desierto, and Volosin 2011, 108). Additionally, although there have been a number of coup attempts, the Philippine military has never succeeded in seizing the state. Indeed, there are certain similarities between Thailand and the Philippines in that leaders might be imperiled by mass protests led by opponents, and two Philippine presidents were removed extra-constitutionally via "people power" uprisings, namely Ferdinand E. Marcos in 1986 and Joseph E. Estrada in 2001 (Thompson 2018, 326). However, a Philippine president who manages to maintain high-level public support can wield massive power to advance their own political agenda.

A comparison of the Arroyo and Aquino III administrations would help to elucidate how a leader's popularity and chance of political survival may affect the peace process and the intervening state's participation. Due to electoral fraud and a series of corruption scandals, President Arroyo's approval rating declined dramatically after 2005. Many important decisions made by the Arroyo administration were contested by opponents. Against this backdrop, the Memorandum of Agreement on Ancestral Domain, signed by the Arroyo administration and MILF in 2008, was soon ruled unconstitutional by the Philippine Supreme Court (Franco 2013, 213-4). Peace negotiations were only resumed after Benigno Aquino III came to power. He relied on his personal popularity to push forward the peace process and endorse Malaysia's participation (International Crisis Group 2016a, 5, 7). Notably, however, the Philippine public has long been skeptical of Malaysia's motivations (Franco 2013, 216). In early 2013, a group of Filipino militants invaded Sabah state, and the subsequent conflicts between the militants and Malaysian security forces drove out numerous Filipinos living in Sabah. The event rekindled the dormant territorial dispute between the two countries and anti-Malaysia nationalist sentiments in the Philippines. Domestic critics questioned the choice of Malaysia as a facilitator (Rood 2013). Yet, a solid support base at home enabled Aquino to continue cooperation with Kuala Lumpur and carry on the peace process. To support Kuala Lumpur, Philippine Navy vessels were sent to prevent other Filipino militants from crossing to Sabah (Poling, DePadua, and Frentasia 2013).

As this case suggests, ethnic intervention does not necessarily lead to mistrust and violation of the non-interference principle. Conversely, Malaysia's

participation in the Philippine peace process has enhanced mutual trust between the two governments. Deep cooperation on nation-building issues indicates that, to some extent, the two states have transcended the traditional non-interference principle. As a result, expectations of peaceful change become more dependable.

Conclusion

This article explores the conditions under which ASEAN members selectively apply the principle of non-interference, with a particular focus on the influence of ethnic politics on regional norms. It argues that domestic ethnic political pressures within ASEAN states can drive intervention in the ethnic conflicts of other member states. However, such interventions do not inherently undermine the non-interference principle. Instead, outcomes are shaped by the specific interactions between the intervening state and the target state.

This article identifies three potential outcomes for regional norms: reaffirmation, violation, or transcendence of the non-interference principle. When intervention occurs in a context where the leader of the target state has a secure political base, they may be more receptive to third-party involvement, using it to promote peace processes. This receptiveness can facilitate cooperation, build mutual trust, and even lead states to move beyond traditional interpretations of non-interference in favor of collaborative conflict resolution. Conversely, when the target state's leader is politically insecure, they may resist external intervention, fearing that concessions made under international pressure could weaken their domestic standing. This dynamic can escalate tensions and lead to a weakening of the non-interference norm, especially when ethnic intervention is met with defensiveness or suspicion by the host state.

This article emphasizes that the evolution of ASEAN's non-interference principle is a dynamic process shaped by interactions among states influenced by domestic political landscapes and the stability of leadership within each state. These interactions indicate that non-interference in ASEAN is neither absolute nor fixed. Instead, it is continually redefined by the interplay of regional norms, domestic ethnic politics, and the political security of state leaders.

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