When the Eagle Becomes the King of the Forest: An Analysis of US Intervention on Terrorism in Southeast Asian Countries

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Throughout 2015 and 2016, countries in Southeast Asia were confronted by acts of terrorism. This act of terrorism was spearheaded by the ISIS militant group and other radicals, which used terror in Southeast Asian countries like Indonesia, Malaysia, Thailand, and the Philippines. The group recruits citizens from various countries to join them. This has led to complaints from multiple countries, including the United States, who, in an effort to tackle terrorism, intervened in Southeast Asian countries by such measures as the Indonesian Anti-Terrorism Law. However, interfering with other countries is not in accordance with international law. This paper examines US Intervention in Southeast Asia against terrorism in terms of international law and from perspective of human rights.

Key words: *US Intervention, South East Asian, International Law, Terrorism.*

Introduction

Defining the word terrorism is indeed not easy and has long been a problem for academics and practitioners. One of the most important things is the struggle to declare "*problems in the problem*" (Eid, 2014; Shahzad, Sarwar, Farooq, & Qin, 2019). The acts of terrorism are not something new in this world. Several factors influence the presence of terrorism in this world. One of the most influential factors is globalization. Globalization indirectly contributes significantly to security threats for the country and nation (Tjarsono, 2012; Laqueur, 2017;

Conway, 2017): for example, in the military field. Globalization also can expand the network of relationships and attachments to the world military. This creates new military technological innovations and localises world engineering to a single geostrategic space (Eid, 2014; Al-Rawi, 2018; Möller-Leimkühler, 2018).

Terrorism also directly influences the ideology of a country so that it can bring up the latest security issues, namely an increase in transnational crime. In other words, "terrorism." There are a lot of countries that do not yet know the exact limits and meaning of terrorism. But every country recognizes that terrorism is an extraordinary crime and has violated the rights of all people. All countries fight Terrorism without exception (Coady, 2004; Meisels, 2009; Katona, 2006).

One of the countries that are fighting acts of terrorism is the United States. As we know, the United States has a dark history of acts of terrorism. One of the most shocking actions in recent world history is the WTC bombing. On September 11, 2001, there was an explosion that struck the two twin towers, otherwise known as the World Trade Centre in New York. There were 2,823 dead and many injured. The WTC was bombed by a jet belonging to the chairman of the al Qaeda group, and the actor is Osama bin Laden (Templeton & Lumley, 2018). If we explore bombing cases in the United States, especially in the WTC building, there is already a precedent in 1993. In this incident, five people were killed, and the rest were injured. This event was allegedly related to the events of 11 September 2001, which were initiated by Osama Bin Laden (BBC, 1995). Terrorism originating from Islam and communism has angered the United States and made terrorism the main enemy that must be addressed. One of the strong reasons for the United States to continue to insist against terrorism is that terrorism has deviated from the teachings of humanity and threatens human rights.

The Al Qaeda extremism group initiated the main and biggest terrorist acts from Middle East Asia based on Sunni Islam. Al Qaeda has the most significant members of the world, and one area that holds many members of al Qaeda is in Southeast Asia. The spread of Al Qaeda in Southeast Asia is doubtless. This is also what makes the United States protective against all forms of terror (Meemik, 2018; Mack, Plant, & Doyle, 2018; Weiss, 2018). The United States of America, in many cases, applied a national foreign policy to intervene in domestic business. As emphasized by Landau (2019) and Watson & Tsouras (2019), the US implemented the political use of military force for their foreign policy in many countries on behalf of national security and protection.

Furthermore, in the same context, The United States also argues that terrorism is the most dangerous act of transnational crime lurking in America 10 or 20 years ahead (Stelzig, 2003). In other words, the United States indirectly takes care of all forms of terrorism in the world in all matters related to military and international security. Without exception, Indonesia and all

countries in the Southeast Asia region are an easy target for terrorists to launch their acts. Inevitably, the United States of America conducts an intervention against the whole world in an attack on terrorism (Gaibulloev, Piazza, & Sandler, 2017; Piazza, 2017; Jackson, 2018). The United States conducts intervention actions against the state to fight terrorism based on a humanitarian grounds. As we know, Indonesia is a country that has the largest population of Muslims. Indonesia has also been the centre of the spread of radical Islamic teachings, which are based on Al Qaeda (Masyhar & Arifin, 2018).

The Al Qaeda militant group is very rapidly developing in Southeast Asia. The most devastating terror attack in the whole world occurred in 2002 in Indonesia, in Denpasar, Bali. The bombing was carried out by Am Rozi, Al Imron, Imam Samudra, and others. The total number of bombing victims was 202 dead. 164 were foreign nationals, 38 were nationals, and 209 wounded. The event referred to as the Bali bombings is considered the worst act of terrorism in Indonesian history (Masyhar & Arifin, 2018; Masyhar, Muhtada, & Rodiyah, 2018)

Historical Perspective of Terrorism Act in Southeast Asia Region

Terror is a word consisting of six letters. It's the same with murder. Terror and killing are the two most annoying words in us. They are also among the saddest features of the human condition. Terror, terrorism, and killing are three words that are hard to define, and are not comfortable to think about, experience or see. Although terror, the similarity between terrorism and existential murder, psychologically and historically, has hardly been recorded or examined. The word is very terrific. If we consider the phrase terrorism surely there is something immoral, unlawful and also unjustified in our minds (Webel, 2004; Jetter, 2017; Ragazzi, 2017).

According to Coady, there are more than one hundred definitions of terrorism (Coady, 2004). However, according to Fletcher, there are only about a dozen that are defined and the rest are not (Meisels, 2009; Coccia, 2018). As a result of this, there has been a lot of confusion about discussing the issue of terrorism, making us fall short (Wilkins, 1992). According to Alex, he cannot conclude or define terrorism (Schmid, 1984; Sarma, 2017; Asongu & Nwachukwu, 2018).

In the beginning, we tried to understand how and why we were afraid of acts of terrorism, and in these circumstances too, many of us want to kill, and also to justify killing each other. We see what feeling is in the mind. Maybe this desire can be formed and controlled? Maybe it is not the same as *The Human Condition*. Where is the background to the acts of terror and murder that are often the centre of attention of the world community? This human condition allows us to become human. This is also our destiny as human beings as controllers. The provocative question is how is it possible for us to reduce or eliminate the act of terror, terrorism, or murder.

If yes, how and when? And if not, why not? (Schmid, 1984; Huff & Kertzer, 2018; Gunawan, 2006; Santoso, 2013). That is the fundamental question.

On the other hand, some academics define terrorism as a criminal act and one of the cruel acts of violence, besides that which often occurs in our minds. In addition to cases of torture, murder, rape, physical injury, and also kidnapping, terrorism is criminal violence committed by terrorizing third parties, especially in service of military or political goals. Terrorism remains a crime that cannot be tolerated. This crime has consumed many innocent victims. An example that has not been forgotten are the the auspicious acts of WTC bombs that killed around 3,000 people (Miller, 2009).

Terrorist actions in Southeast Asia have been going on for a long time. Cold wars and threats are posed by various internal and external rebel groups. But acts of terror are the most significant internal threat in the Southeast Asia region. There are several reasons why acts of terrorism are carried out by rebels. It is one of the actions of war that is cheap and can be carried out by all groups of society. Acts of terrorism can significantly create fear in society and influence someone's psychology. Terrorism is also designed to attract national, regional and global attention. Acts of terrorism also involve personal risks smaller than other conventional forms of action. They also said that all the people of the world recognized their presence. Not only that, militant groups have a goal to create a change in the world but use prohibited methods, namely violence (Chalk, 2007; Medias, Pratiwi, & Janah, 2019; Nye, 2008).

Terrorism is a thing that has long happened in the world. The most significant and most astonishing act of terrorism was the bombing of the World Trade Centre in New York on September 11, 2001. This bombing was the worst act of inhumanity in the history of the world. This bombing killed around 2,996 innocent people. The militant group proclaimed this bombing is from Sunni Islam and is called Al Qaeda (Katona et al., 2006). Al Qaeda is one of the radical Islamic extremist groups under the leadership of Sunni Islam-based Osama Bin Laden. The strategy used by al Qaeda is the conquest and domination of the world under a fundamentalist Islamic state. Al Qaeda also has a final mission, namely the essence of Islam, to dominate, impose its laws on all countries, and expand its power throughout the world. Terrorism also remains on people's minds and in their conversations (Levin, 2006). Even now, the WTC bomb incident is still a hot conversation by the citizens of the world. These militant groups carry out acts of terror, and there must be specific motivations. The motivation has three aspects. The first relates to Ethno-nationalism or separatism, that is, they want to separate themselves from a country. The second relates to revolution. The third is very common in Southeast Asia, and the world, and involves religiously motivated terrorism (Bucker, 2017).

According to Lizardo, there are three types of terrorism: first, acts of terrorism that were carried out to undermine the government. Second, regional-based terrorist activities to the government.

Third, semi-peripheral terrorism groups with core targets throughout the world (Safarova, 2011). The terrorist attacks that occurred on September 11, 2001, have been able to change all forms of international politics and has fundamentally restructured the scope of global security (Carpenter & Wiencek, 2004).

The Terrorism Act launched by Osama bin Laden's Al-Qaeda is a species non-state terrorism aimed at western countries whose majority are non-Muslim, such as Israel, the United States, and also the United Kingdom. The state allegedly attacked Islam. Meanwhile, Osama bin Laden and also Al-Qaeda found natural allies among them, the Islamic fundamentalist Taliban in Afghanistan and its ideological movements (Greenberg, 2005). The Bin Laden Organization is an essential element of a coalition of extremist Islamic groups based in various countries, including Afghanistan, Algeria, Egypt, Sudan, Pakistan and also Indonesia. The opinion of Peter Bergen also reinforced this, and he mentioned that it was part of a Holy War (Bergen, 2001).

Not only that, the real campaign of terrorists proves the nature of the coalition as they have been launched in Algeria by the Islamic Rescue Front linked to Al-Qaeda, where they have more than 100,000 victims of terror since 1992. It was also aggravated by the September 11, 2001 attacks on World Trade Centre in New York and the Pentagon, where around 3000 people were killed. This was followed by the Bali Bombing in 2002, where about 200 people, including 88 Australians, who were mostly foreign tourists, were killed by terrorists. This bombing is almost certainly related to Al-Qaeda, as well as the events of the London bombings in 2005. 50 commuters were killed by the terrorists, who were British citizens influenced by the terrorists, if not directly connected to the Al-Qaeda movement. However, it is essential to distinguish between the Islamic brands put forward by bin Laden from more moderate forms of Islam that can be found throughout the Muslim world in places like Indonesia, India, and, in this case, the Middle East and North Africa (Saikal, 2003).

For instance, bin Laden is anti-democratic, opposes the emancipation of women, and is also opposed to the modern secular state with its division between religions government institutions and institutions. Bin Laden was opposed to secular governments operating in Muslim-majority countries, such as in Turkey and Indonesia. He was very opposed to pro-western Muslim governments like Saudi Arabia, no matter how conservative or moderate it was (Berman, 2004). A radical group of Islamist extremism, like bin Laden's group, reject all forms of moderate Islamic society. Not only that, but they also embrace all kinds of individual religious totalitarianism in the way of all aspects of life. They are fully subject to the laws destined by God, as has been interpreted and applied by the Muslim vanguard. This is also confirmed by Berman's opinion that one of the manifestations of ideology is a religious passion for martyrdom and, more specifically, to be involved in mass suicide cases like those of the

"human wave" attack that have been arranged by Ayatollah Khomeini in the Iran-Iraq war (Berman, 2004).

Indirectly this has led to initiatives from al Qaeda militant groups in Asia to carry out acts of terror again. This was proven in 2002 by the Bali bombing, which took place on October 12, 2002. The bombing place at Paddy Club shop and the club's restaurant, which was on the Bali legends road. Furthermore, the bombing was followed by the United States consulate office located on Jalan Hayam Wuruk 188, Denpasar. The total number of bombing victims was 202 dead, which consisted of 164 foreign nationals, 38 nationals. 209 people were also wounded. The event referred to as the Bali bombings is considered the worst act of terrorism in Indonesian history. The bombers were Indonesian citizens, namely Amrozi, Ali Imron, Imam Samudra and Ali Gufron. Bombers in Bali do not come from ISIS but are followers from Al Qaeda. Which was chaired by Osama bin Laden at that time?

The brutal acts of terrorism that took place in Bali were not part of the most significant period of terrorist activity. Based on history, terrorism in Southeast Asia formed in the cold war, where acts of terrorism were perpetrated by Communist organizations and armed separatist movements involving indigenous ethnic or religious minorities. This group of communist organizations emerged in the context of a broader ideological struggle. This group of extremism occurs in the East and West intending to advance. The cause of the rise of communism was a high sense of nationalism. The case of communism in Southeast Asia is usually employed by armed forces to conduct terrorism. Examples of terrorist groups from communists in Southeast Asia include the *Baru Rakyat Army* from the Philippines, the *Communist Party of Burma*, the *Indonesian Communist Party* of Thailand, and the *Communist Party of Malaya*.

Besides that, acts of terror also originated from *Armed Separatist Movements,* involving indigenous ethnic or religious minorities. This minority group emerged as a reaction to the reluctance of the Southeast Asian government to determine post-colonial rights. They fear that if these ethnic groups and minority groups don't get recognition, they will show separatism. Automatically, the rebellion caused chaos and casualties. The few actions carried out were brutal and eliminated the lives of others. It can be said that in every country in Southeast Asia at the beginning of independence, there were cases of rebellion. In Indonesia, the groups famously known were *Fretilin,* the *Free Papua Organization, Aceh Merdeka.* In the Philippines, there was the *Moro Depan National Liberation Action*. There was also the *Pattani United Liberation Organization* in Thailand and various other ethnic groups in Burma. Although militant groups in the Southeast Asia region have fallen like communists and other ethnic groups, this does not indicate that the militant group has disappeared (Snitwongse & Thomposy, 2005).

The terror-carrying group is not just a new ideology like communism or separatism. Now, the whole world is slapped with radical Islamic teachings such as al Qaeda or other radical groups. The word jihad is always linked to acts of terrorism. The al Qaeda militant group wants to turn the whole world to Islam and destroy the unbelievers. But what is done by this group has violated human rights and broke the law. The bombings and shootings are something that violates the fundamental rights of every person. The acts of terrorism in southeast Asia not only come from militant groups al Qaeda but other radical religious groups, such as the international radical group originating from the middle east, which is called Gama'a el-Islamiya. Originating from Egypt, this extremist group is making terror in the Philippines. The militant group has also carried out bombings at the United States and Israel embassies, and the assassination of the Pope during his visit to Manila in 1995. This radical group also cooperates with other extremist groups such as the Abu Sayyaf Group, the Islamic Salvation Front, the Abu Nidal Organization in Syria, Hizbollah in Lebanon and so on.

The Acts of terrorism in the present era are compounded by the emergence of ISIS or the Islamic State of Iraq and Syria. This militant group aims to establish an Islamic-based state. This group is fighting the infidels by carrying out terrorist acts. Bombings are conducted with more sophisticated tools and the perpetrators of these bombings do not know the gender of their targets. Women are the target of launching attacks. The action from ISIS has happened a lot, especially in Indonesia. For example, in 2018, there were bombings of several churches in Surabaya, which were carried out by a family and killed around nine people and injured more. From 2015 to 2016, there were many acts of terrorism in the Southeast Asia region, such as Indonesia, Malaysia, Thailand, and the Philippines. This terrorist act was carried out by a militant group from Iraq and Syria named ISIS. This group is one of the extremist armed groups dominated by Sunni Arabs from Iraq and Syria. This group also proclaims to be an Islamic state with the ideology of Salafi jihadism. These militant groups often terrorize many countries, mainly non-Muslim countries, and recruit people around the world to join their groups. Already many citizens in Southeast Asia, such as Indonesia, Malaysia, Thailand, have joined ISIS. This militant group is fought by various countries, especially the United States because it has disturbed the peace of the countries in the world. The problem of terrorism has damaged the joints of the state and threatened the defence of a country.

The Impact of Terrorism in Southeast Asia Region

Terrorism is not something new to Southeast Asian Countries (McCreedy, 2003). The act of terrorism cannot occur without cause. There must be a reason or motivation for a terrorist to carry out the attack. The interesting question is then, "what is the motivation of terrorists? There are several reasons for a terrorist to launch an act of terror. As in the Middle East and South America, they carried out for political reasons. The perpetrators of terror in the eastern region of the dead usually come from revolutionaries. Groups that intentionally try to

overthrow authoritarian regimes from governments that try to maintain power and control the population. This is the opposite of what happened in the United States. Most of them carry out acts of terror due to personal interests such as revenge, to get attention, or even money (McCreedy, 2003)

This is certainly different from what happened in the Southeast Asia region. Radical militant groups mostly caused the acts of terror that emerged in Southeast Asia under the guise of religion, ethnicity and regime change. This can be proven by several facts regarding the Southeast Asia region. In relation to the ethnic conflicts that arise in Indonesia, as we know, Indonesia has diverse ethnicities with potential separatist cases and ethnocentrism. The case of Ambon conflict, which initially had ethnic dimensions at the beginning of the conflict, has now turned into an interfaith conflict that has also triggered separatist acts, such as OPM Aceh (Smithwongse & Thompson, 2005). Religious conflicts also remain a sensitive topic that triggers terrorism. The conflict in Indonesia began between Ambonese natives and Bugis migrants.

The battle was started by Muslim Bugis and Protestant Pamona. The conflict led to brutal actions such as the burning of mosques and churches (Aragon, 2001). Terrorism is now happening with religious motivations and conventional and endemic tactics of violence that are perpetrated by actors from around the world (Tucker, 2001). Indonesia was also faced with problems of political centralization. Therefore, during the new order, a transmigration policy was made even though this had already existed in the Dutch colonial era.

USA Intervention on Tackling Terrorism in Perspective of International Law

The United States, as a security force for western democratic leaders, is increasingly struggling to fight terrorism (Waldron, 2004). This war on terrorism expands the influential US military and its diplomatic presence in the US, especially after the 9/11 bombing in New York. The United States, under the leadership of George W. Bush, has revised a national security strategy that defines terrorism as a global threat, which has moral implications for the US to take any action under the framework of the fight against terrorism. Anyone who fights will become the eternal enemy of the United States.

On the other hand, a new approach from the United States has put many countries in an awkward position, especially countries that have large Muslim populations, such as Indonesia and Malaysia. Radical Islamic groups in Muslim countries in the Southeast Asian region have posed severe challenges to the US. It is also tricky again after the US said that Southeast Asia is the second axis of terrorism.
But it needs to be realized that the global war on terrorism has had ambiguous implications for the role of the US in Southeast Asia. On the one hand, this event can increase the strategic

importance of the US in developing countries. But on the other hand, the involvement of the US in most countries in the world has led to an anti-Americanism movement. Governments in Southeast Asian countries, especially Indonesia and Malaysia, have also shown their opposition to US military actions in Afghanistan and Iraq. Moreover, the war on terrorism that made Southeast Asia the second front has made it a difficult paradox in some countries. Governments in the Southeast Asian region must face the pressure from their population to make decisions against US invasions around the world. The US especially, as it is considered to be making war on Muslims. Some academics argue that opposition occurs because it uses US foreign policy to implement a double standard. Many people criticized the United States because they emphasized military attacks rather than focusing on the root causes of terrorism.

But on the other hand, they think that they still need the US on policies in combating terrorism. This also creates a problematic situation, especially in the Southeast Asian government. They are trapped between external and internal pressure such as Indonesia, which is still new to the process of democratic governance. Eliminating internal stress will weaken the democratization process. The impact in the long term will affect internal stability and also regional order.

After the events of 9/11 in the United States and the Bali bombing in 2002, all regions of the world were worried. Indonesia is no exception, and became the second front after Afghanistan for the United States. This made Indonesia launch the anti-terrorism law, which is more precisely called Anti-Terrorism Law No. 15 and 16 of 2003. These legal regulations have been ratified and regulated by the House of Representatives. The drafting of this law was motivated by criticism from various levels of society and by community leaders, who condemned the brutal and inhumane actions. The condition showed empathy and sympathy and sorrow for innocent victims and their families, as well as various places in the country and from the international community (Aji, 2013).

Indonesia's real action in combating terrorism outside the ASEAN agreement has also been proven by the passage of two laws, namely the Law. No. 16 of 2003, which concerned the stipulation of government regulations in lieu of Law No. 1 of 2002, which concerned the eradication of Terrorism and that became an Act ratified by the president of the Republic of Indonesia on April 4, 2002. This happened with the approval of the DPR. This was also strengthened by Law No. 15 of 2003 concerning Determination of Substitute Government. Regulations Law No. 2 of 2002 concerning Enforcement of Substitute Government, and Regulations Law No. 1 of 2002 concerning the Eradication of Criminal Acts of Terrorism, which, after the Bomb Blasting Event in Bali on 12 October 2002, was brought into law and was ratified on 4 April 2003 with the approval of the DPR (9Gunawan, 2006; Santoso, 2013).

The establishment of terrorism laws in Indonesia were motivated by a series of bombings that have been present in Indonesia. The brutal acts of terror have also resulted in the loss of life

and caused widespread public fear and property losses. This has had a significant impact on social, economic, political, and international relations. Terrorism is a transnational crime, is organized, and has an extensive network so that it will threaten national and international peace and security. Therefore, as an effort to restore orderly and safe community life and to provide a robust legal basis and legal certainty in overcoming urgent problems in eradicating criminal acts of terrorism, it is necessary to stipulate a Government Regulation in Lieu of Law by referring to international conventions and related national legislation with terrorism. After that it may be specified in a Law.

Long before the formation of various regulations governing Indonesian criminal acts of terrorism, the United States and Indonesia carried out several diplomacy forums and Counterterrorism Co-operations. For example, from 2002 to 2009, there were a total of 7 collaborations. The first, *" Counter-Terrorism Course" in Washington D.C on November 2002,* the second, *"The Comprehensive Security Responses and Terrorism" in Honolulu Hawai on August 23 – September 10 2002,* the third, *"Crisis Management Training for Trainers" in PTIK Jakarta On December 16-17 2003,* the fourth, *Workshop " Media Handling Skills and Public Relations Dring a Crisis" in Jakarta on November 29 – December 3 2004,* the fifth, *"One-day Workshop "Security and Security for Prosecutors and Judges" in Bali on January 14 2005,* the sixth*, Workshop "Legal Problems of Judges, Prosecutors and Police" in Makasar on September 19 – 20 2006,* and the seventh*, Seminar on "Civil-Military Interagency Cooperation on Counter-Terrorism" in Jakarta on September 26-29 2005* (Thamrin, 2007; Soeriaatmadja & Sihombing, 2009)*.*

There has been a lot of cooperation between Indonesia as a country prone to terrorism and the United States. No doubt, the United States is always present as a helper for acts of corruption in all parts of the world, such as the Bali Bombing. The US is also active in providing tracking assistance on terrorists by directing FBI members. The making of laws on terrorism is also inseparable from the pressure of the United States. All countries must participate in their campaign against terrorism. If one does not participate in the battle against terrorism, the state will fight the United States. One of them is Indonesia. In the end, Indonesia also supported the campaign, even though Indonesia criticized foreign policy monitored by the US at the beginning.

If Indonesia does not participate in the drafting of the anti-terrorism bill, if it is not in line with the US, and if it is not in sequence, it will be the enemy of the US. Therefore, Indonesia issued an anti-terrorism law. Behind the launch of the anti-terrorism bill, there is the potential for misuse. Two terrorism laws have the potential for the abuse of power and the violation human rights. The intervention, in making terrorism laws, was also supported by the fact that Indonesia only issued a law on terrorism after the events of 9/11 in 2001 in the United States and the Bali

Bombing in 2002, when cases of terror have existed since the 1970s. An opinion emerged that the law was the result of intervention by the United States.

Besides, the discussion on the bill on terrorism in the House Representative or DPR, there was a problem because of the interventions of 5 foreign countries. They are the United Kingdom, the United States, Canada, Australia, and New Zealand, which are well known as the *Five Eyes.* This originated from the United States, which argued that a commission of a House of Representatives dealing with intelligence and military matters would no longer need to deal with terrorism cases. The United States argues that one commission from the House of Representatives must focus more on weapons affairs. Intelligence issues are better left to the Police. The US believes that the performance of the National Police is better in the intelligence sector than the performance of the army. Today, the United States does not recognize the intelligence's role in the military. Instead, it acknowledges the intelligence skills of the Indonesian National Police in the case of terrorism. Indirectly it can also threaten the sovereignty of the Indonesian republic (Priantoro, 2016). Moreover, in our law, there has been interference from other countries that have interests in Indonesia.

Every country is strictly prohibited from interfering in domestic and foreign affairs or even giving other countries the pressure to follow what their country wants. The attitude of the intervention is contrary to the principles of law that have been regulated in International Law. Interventions, which can also cause controversy because they conflict with the Principles of State Sovereignty and the principle of non-intervention in international law. The issue of the principle of non-intervention is regulated in international law, that is, in the Charter of the United Nations article 2 paragraph 1, Article 2 paragraph 4, and Article 2 paragraph (7). Article 2 paragraph (1) of the UN Charter explains that "The organization is based on the principles of equality of sovereignty of all members. The principle of non-intervention is also emphasized in article 2 paragraph 4: "All members in their international relations, distance themselves from acts of threatening or using violence against integrity territory or political independence of another country or in any way which is contrary to the goals of the United Nations."

In article 2, paragraph 1 explains that "The organization is based on the principles of equality of sovereignty of all members." The principle of non-intervention is also emphasized in article 2 paragraph 4: "All members in their international relations, distance themselves from acts of threatening or using violence against integrity territory or political independence of another country or in any way which is contrary to the goals of the United Nations. " This article is also confirmed by article 2 paragraph 7, which states that, "There is no single provision in this charter that authorizes The United Nations to interfere with matters that are on the essence includes internal affairs of a country or obligatory its members to complete matters according to accordingly the provisions of this charter, but this principle does not reduce provisions regarding the use of coercive measures as stated in Chapter VII."

The articles are stated in the United Nations Charter for all UN members, who are required to respect the sovereignty of other countries and are prohibited from interfering in the domestic affairs of a country except to create the peace contained in Chapter VII of the UN Charter (Adolf, 1996). The regulation was also confirmed by the results of the 1970 UN General Assembly Resolution G.A. Res 2625 (XXV) on October 24, 1970, which states that "The state enjoys equality of sovereignty." Most countries assume that intervening in extraordinary crimes that have violated other human rights to elect peace is normal. But it needs to be realized that intervention in any form has been strictly prohibited, because the slightest form of intervention can potentially lead to the instability of state sovereignty.

The Act of intervention will not provide a way towards peace. The intervention will lead to propaganda or other activities carried out by a State to encourage the occurrence of revolution or civil war in another country (Starke, 1998). The principle of non-intervention, which is a guideline by ASEAN, is no longer relevant to the times. Some academics want the application of the principle of non-intervention not to be implemented rigidly so that it can provide space for law enforcement in the field of human rights in delivering recommendations or input that what is done by an ASEAN member country has deviated from international human rights and humanitarian principles.

However, the intervention carried out is expected not to violate the political freedom of a country. Thus, the action only aims to restore human rights to a state (Rahmato, 2017). However, in the Treaty of Amity and Cooperation in Southeast Asia (TAC), 24 February 1976, precisely in Article 2, it was explained that in establishing relationships between members, there are fundamental principles: one, respect freedom, sovereignty, equality, territorial unity and national identity every nation; two, every country has the right to regulate the administration of its country free from external intervention; and three, the principle of non-intervention in the internal relations of fellow members. The principle stated in the charter is also one of the five principles of peaceful coexistence stated in the Charter of the United Nations then adopted by the founders of ASEAN with specific adjustments to regional norms.

But it needs to be realized that what has been done by the United States towards countries in Southeast Asia, especially Indonesia, is not under the Treaty of Amity and Cooperation in Southeast Asia. Notably, in point number 2, "each country has the right to regulate the administration of the country free from external intervention." As we know that the United States has interfered in Indonesia's internal affairs, especially in the drafting of the terrorism law involving the role of military and police intelligence. It is a form of intervention that can potentially destroy state sovereignty.

This is also reinforced by Halina's opinion that the principle of non-intervention is a principle that guarantees the recognition of the sovereignty of member states, as well as their protection

from interference by a member state against the domestic politics of other member countries. Amitav Acharya also said that "the principle of non-intervention is a principle that gives freedom for every country to take care of its internal affairs without interference from other countries which will tarnish the principle of freedom, independence and integrity of a country" (Acharya, 2005). However, things need to be underlined. The principle of non-intervention is not the same as the principle of non-involvement because cooperation between governments out of the same interests in the political field against the actions of neighbouring countries, such as the production of narcotics, environmental pollution and the problem of refugees, is not at issue (Funston, 2000).

In regards to the failed state phenomenon, the state can be categorized as failing from 3 perspectives, which are legal, historical, and sociological. From a legal perspective, a country is said to fail if nobody representing the state is doing something legal. This will be different from the development perspective of History. In this perspective, the state can be said to be a failed state if it includes three geopolitical factors: One, the still strong influence of two major countries in the Cold War, "The United States and the Soviet Union against regimes in a country;" two, the destruction of the local structure of a country due to colonization; and three, the progress of modernization, which is not balanced by the process of nation-building.

Conclusion

In some cases, it also appears that humanitarian intervention is often politicized. This is then reinforced by the evidence that the operation of a successful humanitarian is one who has the support of a large country. Thus, even sending humanitarian intervention to a failed country is only a way for big countries to realize their interests: for example, the dispatch of humanitarian forces in Rwanda. UN forces led by The French did not try to stop the conflict between the Hutu and the tribes Tutsis, but only protected and saved white people, who were mostly French citizens. It should be underlined that although intervention measures against countries that are categorized as failed countries are permitted, the intervention of failed countries can re-grow the practice of colonialization in the world. But if the case of interference is aimed at a failed state, then there must be an appropriate commitment from the peacekeepers regarding their motives, goals, and the potential consequences of their actions. Therefore, it is clear enough, that interfering in the internal affairs of a country is strictly prohibited by the principle of non-interference that has been recognized by all countries in the world, including developing countries also conflict-prone in Southeast Asia. No reason can justify intervention, even in the name of humanitarian intervention. There is nothing more important than respecting the sovereignty of other countries.

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