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FACULTY OF SOCIAL & POLITICAL SCIENCES  
UNIVERSITAS GADJAH MADA

CONFERENCE PROCEEDINGS

# POLITICAL AND SECURITY ISSUES IN ASEAN

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International Conference on ASEAN Studies - Inner and Outer Look of  
Southeast Asia in 2015: Championing ASEAN Community

*Conference Proceeding*

# **POLITICAL AND SECURITY ISSUES IN ASEAN**

INTERNATIONAL CONFERENCE ON ASEAN STUDIES 2014  
(ICONAS)

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FACULTY OF SOCIAL AND POLITICAL SCIENCES  
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Randy Wirasta Nandyatama (Editor)

Ezka Amalia, Dedi Dinarto, Muhammad Abie Zaidannas S. (Managing Editor)

Muhammad Abie Zaidannas S. (Layout & Design)

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Faculty of Social & Political Sciences Universitas Gadjah Mada, BA Building, 5<sup>th</sup> Floor  
Room BA 501, Jln. Socio-Yusticia No. 1 Bulaksumur, Yogyakarta 55281

Tel.: +62 274 563 362 ext. 151 | Fax.: +62 274 563 362 ext. 222

E-Mail: [aseansc@ugm.ac.id](mailto:aseansc@ugm.ac.id) | Web: <http://asc.fisipol.ugm.ac.id>

# FOREWORD

The year of 2014 marked as an important year when the 1st International Conference on ASEAN Studies (ICONAS) 2014 is held in Indonesia, particularly in Southeast Asia region. It is part of ASEAN Studies Center Universitas Gadjah Mada, Indonesia (ASC UGM) initiatives in collaboration with ASEAN Studies Center Chulalongkorn University, Thailand.

ICONAS 2014 is aimed to identify challenges and opportunities of ASEAN Community in 2015 as well as to further develop ASEAN Studies in the region. The conference is envisioned to be a melting-pot for academics, business, government from ASEAN member states and their dialogue partners to discuss how to pursue and achieve the vision ASEAN Community through three pillars: Political and Security Community, Economic Community, and Socio-Cultural Community.

This Proceedings brings you academic papers presented in the Panel Discussion with 12 main themes: (1) ASEAN Security Dilemma; (2) ASEAN and Human Security; (3) Pondering ASEAN Economic Development; (4) Transforming Future Governance of Extractive Industries in ASEAN; (5) The Role of Higher Education in ASEAN; (6) Youth Participation in ASEAN; (7) ASEAN Community: New Alternatives; (8) ASEAN and New Media; (9) ASEAN Economic Community 2015; (10) ASEAN Economic Community: Critical Assessment; (11) The Cultural Aspects of ASEAN; and (12) Rethinking Identity in ASEAN.

The 2014 ICONAS proceeding published in three parts based on three ASEAN Community pillars. The first part covers various issues on Political and Security in ASEAN. The second proceeding discusses mainly on economic and social development, and following the economic part, social and cultural issues are disseminated on the third part.

We would like to express our gratitude to all presenters who contributed to the success of the 1st International Conference on ASEAN Studies (ICONAS) 2014, remarkably the authors and co-authors for their valuable contribution to the ICONAS 2014. Special thanks goes to all colleagues, who tirelessly participated in the proof-reading of this Proceedings. We wish the Proceeding could drive interest among Southeast Asian scholars and enlighten us to new perspectives on exploring ASEAN related issues.



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# **EFFECTIVENESS OF THE ASEAN HUMAN RIGHTS REGIME**

**YESSI OLIVIA**  
UNIVERSITAS RIAU





# **THE EFFECTIVENESS OF ASEAN HUMAN RIGHTS REGIME**

**Yessi Olivia**

University of Riau

## **Abstract**

This paper analyses the effectiveness of ASEAN human rights regime. When the organization was first established in 1967, human rights was never part of the discussion among ASEAN's founding fathers. ASEAN was originally built to reduce the political tension among its members through economic and social cooperation. It was not until 1990s, when ASEAN member countries experienced domestic as well as international pressures to pay attention to human rights issues, which ASEAN began to address human rights seriously. With the establishment of ASEAN Intergovernmental Commission on Human Rights in 2009, and the adoption of ASEAN Human Rights Declaration in 2012, ASEAN has achieved a milestone in setting up its own human rights mechanisms. This paper will apply theory on regime effectiveness in evaluating ASEAN human rights regime. Several exogenous and endogenous factors will be assessed, such as: the design features of AICHR and the ability of AICHR in arranging or initiating programs for its members. The research shows that the effectiveness of ASEAN human rights mechanisms is being constrained by several factors, including the poor constructed design features and the lack of members' capacity to comply with human rights norms.

**Key concepts:** ASEAN, regime, effectiveness, ASEAN way

## **Introduction**

This paper analyzes the effectiveness of the human rights regime established by the Association of Southeast Asian Nations (ASEAN). Superficially, ASEAN's involvement in human rights discussions which led to the establishment of human rights machinery is puzzling because ASEAN members never discussed human rights when establishing the organization in 1967. At the time, the primary concern was easing regional political tensions through regional economic cooperation. In addition, with the well-established norm of non interference that has been upheld by ASEAN countries, a country's treatment of its citizens was considered a taboo subject.

Eventually, global changes put pressure on ASEAN. First, the state-centered paradigm of international cooperation shifted to a people-centered orientation. Low political issues, such as gender and human welfare, have overtaken discussions in international forums once dominated by high politics issues, such as arms proliferation. In its institutional evolution, ASEAN has become more open to discussing contemporary issues beyond traditional security concerns. Second, the wave of democratization that surged through the region in the late 1990s contributed significantly to the rise of democracy in some ASEAN states and to the emergence of civil society organizations (CSO) that actively advocate on issues of human security, including human rights. After much of anticipation, ASEAN established the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 and signed the ASEAN Human Rights Declaration in 2012. AICHR is supported by several other agencies: the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW), founded in 2007, and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), established in 2010.

The formation of human rights bodies, rules, and norms makes the ASEAN human rights regime an interesting subject to examine. What are the scope and challenges? What are its strengths and weaknesses? How do the constraints imposed by ASEAN members affect the regime? This paper attempts to address these questions. By applying theories on regime formation and regime effectiveness, this paper argues that the weak design of the ASEAN human rights regime prevents it from working effectively, reflected, for example, in the AICHR's inadequate power to protect human rights. In addition, the regime's ability to achieve its goal is hindered by member states' limited capacity to implement human rights norms.

This paper is organized into three parts. The first part discusses the theoretical approaches to regime establishment and effectiveness. The second part reviews ASEAN's profile and describes its human rights mechanism. The last

part analyses the characteristics of the ASEAN human rights regime and whether they supports regime effectiveness.

### **International Regime and the Concept of Effectiveness**

This section presents a discussion of the theory of regime effectiveness. First, the term “regime” is defined, and then theories about how regimes are founded and what measures ensure the effectiveness of a regime are reviewed. When scholars discuss international regimes, they most commonly use the definition developed by Stephen D. Krasner: “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” (186). Krasner then further explained the essential elements of a regime as follows (186): “*principles* are beliefs of fact, causation, and rectitude. *Norms* are standards of behavior defined in terms of rights and obligations. *Rules* are specific prescriptions or proscriptions for action. *Decision-making procedures* are prevailing practices for making and implementing collective choice” (186). In the study of International Relations (IR), the discourse on the origin of international regime reflects the tradition of paradigmatic debates in which the assumptions of different theoretical approaches are contested and criticized.

The realists, who took the pessimistic view of an international cooperation, argue that collaboration among states only took place because states are being persistent in securing their “position relative to other states,” an argument called “relative gains” (Hurrell 60). Realists perceive new international regimes only as instruments for dominant powers to maintain the balance of power. As the distribution of power among states heavily influences the establishment of a regime, its existence always depends on states’ interests. Once a regime is no longer seen as beneficial, it might be disbanded. This cynical view of international politics works is based on the assumption that the international system does not have the authority to govern states, a situation called international anarchy (Waltz). Trust building among states is hard to achieve since states always “look for opportunities to take advantage of each other” (Mearsheimer 9). Even in international cooperation, competition and exploitation occur because states are concerned about the relative gains that other states acquire (Mearsheimer).

In contrast to the realist view of international cooperation as difficult to manage, neoliberals argue that such partnerships are valuable and worth pursuing. Institutional collaboration in the form of a regime, for example, helps states understand their ‘common interest’ and adjusting their actions accordingly in order to achieve the optimal long-term outcomes (Hasenclever, Mayer, Rittberger, 4). However, neoliberalism does not deny that corruption and exploitation occur among states and, indeed, pose the main challenge to international cooperation. The neoliberal explanation of deceptive practices by

states reflects realists' main assumptions of how the international system works: States are concerned about the short-term gains from international cooperation and fear that others will gain more than they achieved.

The main criticism levelled by cognitivists against neoliberalism is precisely its consensus with realist theories. Cognitivists argue that neoliberal theorizing has made no significant contributions because it is bounded by realist assumptions. For the cognitivists, the founding of institutions is a sociological process and cannot be explained exclusively by the influence of power and interests, as claimed by realists and neoliberals. Other factors, such as knowledge, ideas, and even actors' identity, play roles in regime establishment (Hasenclever, Mayer, Rittberger).

Similarly to the debate in IR about regime establishment, different disciplines have advanced varied explanations for regime effectiveness. At the most basic level, "effectiveness" refers to how well an institution solves the problems that necessitated its establishment. Legal scholars elaborate on this definition by relating effectiveness to the implementation or the compliance with provisions written in the law or contract. Economists examine the type of policies adopted to achieve certain institutional goals, where political scientists describe effectiveness as changes in actors' behavior to solve a problem (Levy, Young, Zürn, 291-92). These definitions lead to varied measurements of effectiveness of institutions. However, all these approaches are valuable because analysis in an international setting requires understanding different contexts.

To assess effectiveness, one can also consider an institution's ability to manage its environment. As pointed out by Levy, Young and Zürn, certain external and internal factors are relevant to this issue. Among three external factors (exogenous) are the regime's interests in issue pertinent to its mandate. The effectiveness of a regime depends on its ability to deal with events that negatively affect its member's interests. Second is the distribution of influence, how the dominant powers or epistemic community affect the regime and change the behavior of its members. A regime supported by powerful states performs better than regimes with no support from dominant powers. In addition, studies on regime effectiveness also found a relationship between a regime's effectiveness and its members' competence. Incompetent members who have difficulty complying with rules and norms hinder a regime from attaining its goals. The last exogenous factor is the nature of the issue for which the regime is responsible. Regimes which deal with intricate matters need a rigorously designed system, while others work with less serious issues do not require a strong mechanism. Regimes with a more difficult task might not operate effectively because the scope of their mission results in them being overstretched (295-98).

While the exogenous factors concern the external conditions surrounding a regime, two endogenous (internal) factors focus on the institution itself. First are

the design features of an institution. Academics have long debated the argument that an institution's structure strongly influences its success in carrying out a task. Scholars have set identified standards which improve institutional performance: comprehensible regulations, a clear organizational structure, mechanism for rewards and punishments, monitoring and evaluation, and the incorporation of science and technology advances in the organization. The second endogenous factor is programmatic activities. An institution's effectiveness is judged, in part, based on its operationalization, including leadership, administrative performance, creativeness and professionalism (Levy, Young, Zürn, 299-303).

It is important to emphasize that exogenous and endogenous traits should not be treated separately. An assessment of regime effectiveness requires understanding the relation between the two factors. An effective regime, as suggested by Levy, Young, and Zürn, can use endogenous factors to alter the exogenous factors (303).

### ***Overview of ASEAN***

ASEAN is a regional organization that consisted of ten Southeast Asian countries. It was established on 8 August 1967, as five Foreign Ministers from Indonesia, Malaysia, Singapore, Thailand, and the Philippines signed the ASEAN Declaration. The membership of ASEAN has expanded from five to ten states when several Southeast Asian countries joined in, starting with Brunei Darussalam on 7 January 1984, Vietnam on 28 July 1995, Laos and Myanmar on 23 July 1997, and Cambodia on 30 April 1999.

Based on the composition of members, ASEAN is one of the most politically and economically divergent organization in the world. The political structure of ASEAN countries ranges from democratic (Indonesia) and semi democratic (Malaysia) to authoritarian (Myanmar). Huge differences also appear in economic performances. Singapore is the most economically advanced country in the region, while Laos is one of the least-developed ASEAN states. However, throughout its 47 years of existence, ASEAN has become one of the most important actors in international politics. It is widely recognized as a regional organization that actively participates in global affairs and has received praise for its remarkable economic achievements. With a total population of more than 600 million, ASEAN countries have a potential market worth approximately \$2.4 trillion. The group's strategic location has made it a major trading partner globally, with shipping lanes that generate \$5.3 trillion annually (East-West Center).

At the 13<sup>th</sup> ASEAN Summit in 2007, member states adopted the ASEAN Charter, marking several important points in the evolution of the organization. First, ASEAN transformed from “ a loose association” to “a rule-based

organization” (Koh 11). Member states committed to follow certain rules, procedures, and principles such as democracy, good governance, and human rights. Secondly, the ASEAN Charter laid out the path of integration to form an ASEAN Community based on three pillars: political and security, economic, and sociocultural cooperation. It is said that these three pillars are “intertwined and mutually reinforcing for the purpose of ensuring durable peace, stability and shared prosperity in the region” (Declaration of ASEAN Concord II).

Regarding economic integration, ASEAN will become a single market under the name of ASEAN Economic Community (AEC) on 31 December 2015. Modeled after the integration of the European Union, AEC will adopt the “free movement of goods, services, investment, skilled labor, and freer flow of capital” (Declaration of ASEAN Concord II) to position itself as a global economic powerhouse. The International Labor Organization (ILO) and Asian Development Bank (ADB) predict that the AEC will create at least 14 million jobs and improve the wellbeing of the 600 million people living in the region (ILO).

Another important point from the adoption of the ASEAN Charter was the establishment of ASEAN human rights body. According to Article 14 of the ASEAN Charter, the ASEAN human rights body carries out “the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms” and it “shall operate(s) in accordance with the terms of reference” agreed by the ASEAN Foreign Ministers Meeting (ASEAN Charter).

### **Building a Human Rights Regime in Southeast Asia**

This section chronologically traces the creation of ASEAN’s machinery to promote human rights in the region and argues that the development of this regime has been painstakingly slow and exhausting process. From ASEAN member states’ participation in the World Conference on Human Rights in 1993, it took more than a decade for ASEAN to finally establish a mechanism to promote human rights. The World Conference on Human Rights held June 14-25, 1993, in Vienna, Austria, is regarded as a watershed moment in ASEAN involvement in human rights discussions. The multilateral forum was intended to advance international cooperation in the promotion and protection of human rights, specifically by establishing new norms, institutions, and specific evaluation mechanisms and encouraging regional institutions which promote human rights. Regarding regional arrangements for human rights, the Vienna Declaration stated that:

“37. Regional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international

human rights instruments, and their protection. The World Conference on Human Rights endorses efforts under way to strengthen these arrangements and to increase their effectiveness, while at the same time stressing the importance of cooperation with the United Nations human rights activities” (OHCHR).

ASEAN was at first reluctant to get involved in the purposes of the World Conference. This hesitancy can be seen in the Bangkok Declaration, produced during a regional meeting in Bangkok March 29-April 2, 1993, attended by thirty-four Asian countries, including ASEAN member states. Although in the preamble of the declaration affirms the importance of the World Conference on Human Rights and acknowledges the universality, objectivity, and non-selectivity of all human rights, the body of Bangkok Declaration contradicts its preamble. First, the declaration emphasizes that the principles of state sovereignty and non interference must be upheld. Second, it objects to countries applying political pressure on the other nations about human rights. Another interesting point is the declaration’s view of the universality of human rights:

“...while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds” (Report of the Regional Meeting for Asia of the World Conference on Human Rights)

This declaration sparked a debate about the universality and cultural relativity of human rights, whether they can be applied universally regardless of countries’ cultural and political context. The dialogue at the World Conference on Human Rights also reflected the opposing interests of Western countries and the rest of the world. Non-Western countries preferred a contextual interpretation of human rights, as outlined in the Bangkok Declaration. They also criticized the developed countries for politicizing the issue of human rights to serve their own interests. Western countries demanded standardized principles of human rights and denied the accusations made by non-Western countries (Sciolino). Western nations argued that states might misuse the application of cultural relativism to human rights to repress their people. Such debates placed in jeopardy the human rights promotion and protection endeavors long developed by the international community (Ayton-Shenker).

At the 26<sup>th</sup> ASEAN Ministerial Meeting in 1993, ASEAN countries grudgingly accepted the Vienna Declaration but again emphasized that human rights “should be addressed in a balanced and integrated manner and protected and promoted with due regard for specific cultural, social, economic and political circumstances” (Joint Communiqué). In the Joint Communiqué of the ASEAN Ministerial Meeting, ASEAN countries agreed to form a regional human rights



mechanism. The Vienna Declaration was not realized immediately after the conference, despite pressure from non-state groups such as the Working Group for an ASEAN Human Rights Mechanism to establish human rights bodies. Arguably, one of the reasons for the delay was that ASEAN countries suffered from a regional economic downturn and were deeply engaged in economic recovery programs in the late 1990s.

The Working Group for an ASEAN Human Rights Mechanism renewed the discussion of human rights at a workshop in 2001. Meeting attendees, including representatives of ASEAN's government institutions, parliamentary human rights committees, the academia, and NGOs, reaffirmed the need to create a human rights body. They recommended that ASEAN leaders to establish a special body to "assist ASEAN member states in addressing human rights concerns in their respective areas of jurisdiction; ensure that international human rights laws are observed and implemented by ASEAN countries who have agreed to them; help ASEAN people have a common understanding of universal human rights issues and perspectives" (Working Group for an ASEAN Human Rights Mechanism).

The most significant development in the formation of an ASEAN human rights regime occurred when ASEAN leaders started to discuss upgrading ASEAN's organizational capacities through the ASEAN Community. The idea of a united ASEAN gained strength amid rising China influence. As the United States' activities in the region lessened due to its focus on counterterrorism policies in the Middle East, China projected its power in Southeast Asia. An integrated ASEAN was seen as the best means to deal with China and other rising powers.

At the 9th ASEAN Summit in 2003, ASEAN decided to further regional cooperation through the ASEAN Community. According to Declaration of ASEAN Concord II, the purpose of the ASEAN Community is "to further consolidate and enhance achievements of ASEAN as a dynamic, resilient, and cohesive regional association" and "to further strengthen the Association's guidelines in achieving a more coherent and clearer path for cooperation." The ASEAN Community focuses on political and security, economic, and sociocultural cooperation, and since the 2003 meeting, the discussions about incorporation have dominated ASEAN meetings.

In the 2004 summit, ASEAN detailed strategies to establish ASEAN Community in the Vientiane Action Programme 2004-2010. ASEAN members reached a consensus that beneficial cooperation on politics and security requires democracy, good governance, and respect for human rights. In the human rights promotion, VAP laid out several priorities areas that include (ASEAN Documents Series 2004 33):

1. Completion of a stock-taking of existing human rights mechanisms and equivalent bodies, including sectoral bodies promoting the rights of women and children;
2. Formulation and adoption of MOU to establish network among existing human rights mechanisms;
3. Formulation of work programme of the network
4. Promote education and public awareness on human rights
5. Establish a network of cooperation among existing human rights mechanisms
6. Elaboration of an ASEAN instrument on the protection and promotion of the rights of migrant workers
7. Establishment of an ASEAN commission on the promotion and protection of the rights of women and children.

Two documents adopted at the 2004 ASEAN Summit focus on women and children. The ASEAN Declaration Against Trafficking in Persons Particularly Women and Children reflects “the urgent need for a comprehensive regional approach to prevent and to combat trafficking in persons, particularly women and children.” ASEAN members also recognize that “a successful campaign against the scourge of trafficking in persons, particularly women and children, requires continuing dialogue, exchange of information and cooperation among ASEAN” (ASEAN Document Series 2004 78). Second was the ASEAN declaration on the Elimination of Violence Against Women in the ASEAN Region. This declaration is signed in order to endorse regional cooperation and “to promote an integrated and holistic approach to eliminate violence against women” (ASEAN Documents Series 2004 253).

In 2007, ASEAN member states signed the ASEAN Charter, which established the ASEAN Community as a legal entity and contained an agreement to create a human rights body. ASEAN leaders also adopted the Declaration on the Protection and Promotion of the Rights of Migrant Workers, which recognizes “the need to adopt appropriate and comprehensive migration policies on migrant workers” and “the need to address cases of abuse and violence against migrant workers” (*ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers*).

AICHR, ASEAN’s human rights body, was inaugurated in 2009. Its purposes and the principles are laid out in the Terms of Reference (ToR). Among the reasons of establishing AICHR are: “to promote and protect human rights and fundamental freedoms of the peoples of ASEAN; to uphold the right of the peoples of ASEAN to live in peace, dignity, and prosperity; to contribute to the realisation of the purposes of ASEAN as set out in the ASEAN Charter in order to promote stability and harmony in the region, friendship and cooperation among ASEAN Member States, as well as the well-being, livelihood, welfare and

participation of ASEAN peoples in the ASEAN Community building process” (AICHR ToR).

The core of ASEAN human rights regime was established as the AICHR, ACWC, and ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW). Supporting bodies for these three institutions include governmental agencies, such as National Human Rights Institutions in Indonesia, Malaysia, Philippines, and Myanmar; recognized bodies such as Working Group on the ASEAN Human Rights Mechanism and ASEAN Institutes of Strategic and International Studies Colloquium on Human Rights, to independent civil society organizations such as Asian Forum for Human Rights and Development (Forum Asia).

### **How Effective is the ASEAN Human Rights Regime?**

As mentioned, the goal of this paper is to analyze the effectiveness of ASEAN’s human rights regime. The previous section on theories explaining institutional effectiveness demonstrated that determinant factors influence member states’ behavior. A strong institution is equipped with better institutional features and receives support from its members. In contrast, a weak institution is poorly constructed and has only a limited capacity to control its members. This section shows that ASEAN’s human rights machinery is a product of political compromise among member states, which has had a significant impact on the roles of human rights institutions.

First, the mainstream approaches of realism and neoliberal institutionalism do not adequately explain the formation of the ASEAN human rights regime. Realists argue that the existence of a hegemon (dominant power) largely determines the creation of an institution, such as a regime. Neoliberals claim that beliefs that such a regime will benefit states drives regime establishment (Keohane & Martin). No ASEAN state, however, is qualified to be called a regional hegemon. Although frequently regarded as ASEAN’s informal leader, Indonesia does not have enough power to intervene in the organization, especially if following the Treaty of Amity and Cooperation in Southeast Asia, which serves as the code of conduct for ASEAN members. Similarly, recognizing human rights costs states as they changes their internal policies, making it unlikely that states see a human rights mechanism as a valuable instrument for themselves.

However it can be argued that the following factors explain the slow emergence of the ASEAN human rights regime. First is the democratization of key ASEAN members, notably Indonesia, with the downfall of Soeharto, the longest reigning president, in the late 1990s. Since the end of Indonesia’s authoritarian regime, Indonesia has become a prominent democratic country

and continued to support the adoption of democratic values in ASEAN countries (Ryu & Ortuoste). In fact in his speech in 2007, Susilo Bambang Yudhoyono, the President of the Republic of Indonesia underlined the need for ASEAN to embrace democracy and human rights in regard to foster the ASEAN Security Community:

“...We have to think in terms of the need for political cohesiveness among the members of the ASEAN family. Such political cohesiveness should stem from a shared commitment to the fundamental values of democracy, human rights and the free market. Hence, it is an essential part of our transition to a Security Community that we should cultivate these common values.”

The democratization of ASEAN countries also had a significant impact on the rise of transnational advocacy networks among human rights CSOs. These non-state actors, along with the national human rights institutions from Indonesia, Malaysia and the Philippines, have played important roles in pressuring ASEAN to establish human rights mechanism (ASEAN Four Signs Declaration of Cooperation).

Secondly, ASEAN’s willingness to embrace human rights arguably is related to the intensified discussions about regional unification through the organization. With the adoption of the goal to become an integrated region in the ASEAN Community come new principles and norms which challenge long-established traditions, especially the principle of non-interference (Ryu & Ortuoste). The formation of ASEAN Security Community clearly does so. To create a harmonious society among ASEAN member states, ASEAN emphasizes the need to promote: “the principle of democracy, the rule of law and good governance, respect for and promotion and protection of human rights and fundamental freedoms as inscribed in the ASEAN Charter” (Roadmap for an ASEAN Community 2009-2015).

However, implementation of the roadmap for the creation of the ASEAN Community has faced opposition, especially from Cambodia, Myanmar, Laos, and Vietnam—the CMLV states. This historical account shows that the establishment of ASEAN human rights body resulted from detailed negotiations among divided ASEAN member states. During the drafting of the AICHR’s TOR, for example, a heated debate split ASEAN countries into two groups. On one side, Indonesia, Thailand, Malaysia, and the Philippines wanted the ASEAN human rights body to monitor human rights promotion in ASEAN countries. On the other side, the CMLV states demanded that the ASEAN human rights body have limited authority. Although NGOs called for adherence to the ASEAN Charter’s mandate for the ASEAN human rights body, the outcome reflects political compromise to settle the differences between “those who advocating for the

establishment of an ASEAN human rights body and those who still have reservations about the idea” (Clarke 11).

### ***A Regime with Weak Institutional Traits***

Institutional traits or design features are among the endogenous factors that determine the effectiveness of a regime. The belief that an institution’s success correlates with its ability to perform institutional tasks has been held since ancient Greece. Studies have shown that an institution can operate effectively if it has clear guidelines, a monitoring and evaluation mechanism, and sanctions and rewards. What then are the attributes of the ASEAN human rights regime?

The central actor in human rights promotion in ASEAN human rights regime is AICHR. However, as the key player in the human rights promotion, AICHR is only positioned as an inter-governmental body which means that AICHR is not an independent body separated from ASEAN. The AICHR ToR emphasizes that as a consultative body, AICHR mandates range from developing strategies for the promotion and protection of human rights to educating the peoples of ASEAN on the issue of human rights. Yet, since its status only to serve as a counselling agency, none of the mandates in the AICHR ToR talk about the capacity to monitor human rights practice in ASEAN states. Interestingly, even though the Article 1 of the AICHR ToR says that the purpose of AICHR is “to promote and protect human rights and fundamental freedoms of the peoples of ASEAN”, there is no further explanation on how exactly AICHR is going to protect human rights in ASEAN.

Moreover, the AICHR ToR indicates the limited ability that AICHR has as a human rights body. First, AICHR cannot meddle with the internal affairs of ASEAN member states, as the provision clearly states the “respect for the right of every Member State to lead its national existence free from external interference, subversion and coercion” (AICHR ToR Article 2.1.c) The AICHR’s independency is also being questioned as each person who sit in the Commission is being appointed by each ASEAN member state to represent the country. Again, this condition contradicts the provision regarding the principles of human rights on “impartiality, objectivity, non-selectivity, non-discrimination, and avoidance of double standards and politicization” (AICHR ToR Article 2.2)

Therefore, it is not surprising when the limited power that AICHR has affects its ability to be creative in arranging its program of activities. So far, AICHR activities only range from disseminations, workshops, discussions with its stakeholders; the governments, the people and the NGOs. Unfortunately, it cannot move further from those areas. That is why AICHR has not actively involved to human rights violation in Southeast Asia. The case of the mistreatment of Rohingya Muslims in Myanmar has been one of the examples

where ASEAN and especially AICHR are being criticised for unable to fully address the continuation of human rights violations in the region.

AICHR is not only the element of ASEAN human rights regime that has been criticized as incompetent and “toothless” (*The Wall Street Journal*). Observers and other human rights groups disapproved of the ASEAN Human Rights Declaration (AHRD), which serves as the “framework for human rights cooperation in the region and contribute to the ASEAN community building process.” Around fifty human rights groups from Southeast Asia described the AHRD as “a proclamation of governmental powers disguised as a declaration of human rights” that misrepresents “universal standards on human rights protection” (Palatino). Among the concerns raised regarding the adoption of AHRD is the implementation of the rights amid politics, economic, legal, social, cultural, and historical differences. Article 7 of AHRD states that:

7. All human rights are universal, indivisible, interdependent and interrelated. All human rights and fundamental freedoms in this Declaration must be treated in a fair and equal manner, on the same footing and with the same emphasis. At the same time, the realisation of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds.

Arguably, this provision recalls the relativistic argument made in the Bangkok Declaration, released before the World Conference on Human Rights 1993. However, as suggested by Catherine Renshaw, the problem with Article 7 of the AHRD is not the contextual practice of human rights but “*how* those who interpret the Declaration take into account the difference “political, economic, legal, social, cultural, historical and religious” backgrounds of states in the region” (Renshaw).

### ***Reluctance in Complying to Human Rights Norms***

The study about regime effectiveness by Levy, Young, and Zürn shows that exogenous factors play important roles in determining whether an institution is successful. These factors include *the patterns of interests* that determine how regime members react to the consequences of implementing new arrangements; *the distribution of influence*, in which a dominant power enforces the rules adopted by the regime or epistemic community to raise awareness of certain issues pertinent to the regime; and *the nature of the issue area*, which determines the success or failure of a regime.

First, it is worth noting that human right is not neutral. Involvement in human rights arrangements, such as signing treaties and joining international organization, influences a state’s relationship with its people, for example,

requiring policies for human rights protection. In contrast, signing trade treaties only obliges states to modify trade policies that have an impact on relationships with other countries. Also complicating the issue of human rights for states is the necessity to yield some of the privileges of sovereignty to supra-national institutions which monitor and evaluate state's human rights practices (Moravcsik).

Consequently, ASEAN's development of a human rights regime has been protracted. ASEAN member states were not ready for an organization established to prevent potential conflict among members through economic cooperation to intervene in their domestic matters. However, as explained, changes forced ASEAN member states to expand the scope of regional cooperation. As shown in Table 1, the effectiveness of the ASEAN human rights regime will be determined by the capacity of member states to promote and protect human rights domestically. Table 1 indicates that ASEAN member states arguably are the major obstacle to the human rights regime. Among the ten member states, only Indonesia and the Philippines have adopted all major human rights treaties. Myanmar has adopted only two international treaties, on women and children's rights. The data show no correlation between human rights compliance and political system or economic performance. For example, Singapore is party to few treaties but is more advanced politically and economically than Cambodia and Vietnam, which favor communism (Clarke).

**Table 1. ASEAN Member-State Commitment to International Human Rights Law**

	Bru	Ca m	In d	La o	Ma l	My a	Phi	Sin	Th a	Vie
<b>ICCPR (1966)</b>	N	Y	Y	N	N	N	Y	N	Y	Y
<b>ICESCR (1968)</b>	N	Y	Y	N	N	N	Y	N	Y	Y
<b>ICERD (1966)</b>	N	Y	Y	Y	N	N	Y	N	N	Y
<b>CEDAW (1979)</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>CAT (1984)</b>	N	Y	Y	N	N	N	Y	N	N	N
<b>CRC (1989)</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>CPRMW (1990)</b>	N	S	Y	N	N	N	Y	N	N	N
<b>CPRD (2006)</b>	S	S	Y	Y	Y	N	Y	N	Y	S
<b>CPPED (2006)</b>	N	N	S	S	N	N	N	N	N	N

Source: Gerard Clarke, *The Evolving ASEAN Human Rights System: The ASEAN Human Rights Declaration of 2012*, 11 Nw. J. Int'l Hum. Rts. 1 (2012).

Key: N(o): Neither Signed nor ratified. S(igned but not ratified).  
Y(es): signed and ratified.

Horizontal axis: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam.

Vertical axis: International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention on the Elimination of Racial Discrimination, Convention on the Elimination of Discrimination Against Women; Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of the Child; Convention on the Protection of the Rights of Migrant Workers, Convention on the Rights of Persons with Disabilities and Convention on the Protection of all Persons from Enforced Disappearances.

Table 1 also gives insight into ASEAN cooperation on human rights. All member states are party to the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), which presumably benefits ACWC, ASEAN's mechanism for protecting women and children. ACWC enjoys the advantage of independently selecting its representatives, instead having them appointed by governments, which they serve.

Despite the complicated nature of the issue, the involvement of CSOs could ameliorate the differences among ASEAN member states in interpreting human rights norms. Although CSOs have played important roles in the development of the ASEAN human rights system, their involvement has not been deep enough. For example, their suggestions were not taken into consideration during the drafting of the AICHR's ToR. In addition, the development of CSOs varies among ASEAN member states. CSOs which operate in democratic countries enjoy more freedom than CSOs working in the unfriendly environment of authoritarian countries (Asplund).

## **Conclusion**

This paper has identified the determinant factors of the effectiveness of ASEAN human rights regime. In summary, the ASEAN human rights regimes cannot work effectively because its design features are poorly constructed. AICHR has only a limited mandate and power because ASEAN member states worry that it will interfere in their domestic affairs. The regime faces difficulty promoting human rights because each ASEAN member state has a different capacity to comply with human rights norms. Lastly, ASEAN does not have a dominant power which can force other states to conform to the rules and norms,



but it does have numerous human rights CSOs. However, they have not exerted significant influence in negotiations with ASEAN and its member states.

## Bibliography

- ASEAN. *ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers*. ASEAN 2007. Web. 4 August 2014.
- ASEAN. *ASEAN Documents Series 2014*. Jakarta: ASEAN 2015.
- ASEAN. *ASEAN Intergovernmental Commission on Human Rights Terms of Reference*. Jakarta: ASEAN 2009.
- ASEAN. *Declaration of ASEAN Concord II*. Jakarta: ASEAN 2014.
- ASEAN. *Joint Communique of the Twenty-Sixth ASEAN Ministerial Meeting Singapore, 23-24 July 1993*. Web. 4 August 2014.
- ASEAN. *Keynote Speech by H.E. Susilo Bambang Yudhoyono President Republic of Indonesia at the ASEAN Forum: Rethinking ASEAN Towards the ASEAN Community 2015*. 7 August 2007. Web. 15 September 2014.
- ASEAN. *Roadmap for an ASEAN Community 2009-2015*. Jakarta: ASEAN 2009.
- ASEAN. *The ASEAN Charter*. ASEAN 2008. Web. 4 August 2014.
- Asplund, André. "ASEAN Intergovernmental Commission on Human Rights: Civil Society Organizations' Limited Influence on ASEAN." *Journal of Asian Public Policy*. 7.2. (2014). 191-199.
- Ayton-Shenker, Diana. *The Challenge of Human Rights and Cultural Diversity*. United Nations. Web. 20 August 2014.
- Clarke, Gerard. "The Evolving ASEAN Human Rights System: The ASEAN Human Rights Declaration." *Northwestern Journal of International Human Rights* 11.1 (2012).
- East-West Center. *What is ASEAN?* East West Center, n.d. Web. 4 August 2014.
- Hasenclever, Andreas, Peter Mayer, Volker Rittberger. *Theories of International Regimes*. Cambridge: Cambridge University Press, 2004. Print.
- Heywood, Andrew. *Global Politics*. New York: Palgrave Macmillan, 2011.
- ILO. *AEC Offers Major Employment, Wage and Productivity Benefits, If Decisively Manage*. ILO, 20 August 2014. Web. 10 August 2014.
- Keohane, Robert O., Lisa L. Martin "The Promise of Institutional Theory." *International Security* 20.1 (1995). 39-51. Print.
- Koh, Tommy. "Asean at 40: Perception and Reality." *Regional Outlook: Southeast Asia 2008-2009*. Eds. Deepak Nair, Lee Poh Onn. Singapore: ISEAS, 2008. Print.
- Krasner, Stephen D. "Structural Causes and Regime Consequences: Regimes as Intervening Variables." *International Organization* 36.2 (1982) 185-205. Print.
- Levy, Marc A., Oran R. Young, Michael Zurn. "The Study of International Regime." *European Journal of International Relations* 1.3 (1995) 267-330. Print.
- Mearsheimer, John J. "The False Promise of International Institutions." *International Security* 19.3 (1995) 5-49. Print.

- Moravcsik, Andrew. "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe." *International Organization*. 54.2. (2000). 217-252.
- OHCHR. *Vienna Declaration and Programme of Action*. OHCHR 2014. Web. 12 August 2014.
- Palatino, Mong. "Human Rights Declaration Falls Short." *The Diplomat*. 28 November 2012. Web. 14 September 2014.
- Ramcharan, Robin. "ASEAN's Human Rights Commission: Policy Consideration for Enhancing Its Capacity to Protect Human Rights." *UCL Human Rights Review*. 3. (2010) 199-235. Print.
- Renshaw, Catherine S. "The ASEAN Human Rights Declaration – Cause for Celebration?" *Regarding Rights*. 25 January 2013. Web. 20 August 2014.
- Report of the Regional Meeting for Asia of the World Conference on Human Rights*. A/conf.157/asrm/8 a/conf.157/pc/59 (Bangkok, 29 March - 2 April 1993).
- Ryu, Yongwook, Maria Ortueste. "Democratization, Regional Integration, and Human Rights: The Case of the ASEAN Intergovernmental Commission on Human Rights." *The Pacific Review*. 37.3 (2014). 357-382. (Print).
- Sciolino, Elaine. "U.S. Rejects Notion That Human Rights Vary With Culture." *New York Times*. 15 June 1993. Web. 14 September 2014
- Thio, Li-ann. "Implementing Human Rights in ASEAN Countries: "Promises to keep and miles to go before I sleep"" *Yale Human Rights and Development Journal*. 1.1. (1999) 1-87. Print.
- Waltz, Kenneth N. *Theory of International Politics*. Reading: Addison-Wesley Publishing Company, 1979. Print.
- Working Group for an ASEAN Human Rights Mechanism. *About Us*. Working Group for an ASEAN Human Rights Mechanism. 2007. Web. 10 August 2014
- Working Group for an ASEAN Human Rights Mechanism. *ASEAN Four Signs Declaration of Cooperation*. Working Group for an ASEAN Human Rights Mechanism. 2007. Web. 10 August 2014.



# **COMBATING CORRUPTION UNDER ASEAN COOPERATION: THE EMERGING ISSUES**

**RIDWAN ARIFIN**

UNIVERSITAS NEGERI SEMARANG



# COMBATING CORRUPTION UNDER ASEAN COOPERATION: THE EMERGING ISSUES

**Ridwan Arifin<sup>1</sup>**

Corruption today has become internationally. It is not only the problem of certain state but also the problem of all states around the world, problem of international community. Corruption in many cases has caused loses, disadvantages, even a lot of destruction in many sectors. Supra and infra structures was corrupted and it make the county weak economically, politically, or even morally. Combating corruption faced many problems and obstacles especially for recovery the asset stolen by corruptors. Assets or money stolen deposited in many countries cross the state even involved the experts. Corruption and its activities become the main issue among the South East Asian countries, and also with Association of South East Asian Nation (ASEAN). This paper addressed the main issue of corruption in ASEAN countries which is compared and served the some case stories from Indonesia on combating corruption. This paper also described how international cooperation and ASEAN countries cooperation could be intentionally increased to eradicate corruption within the ASEAN countries.

**Keywords:** corruption, combating corruption, cooperation, ASEAN

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<sup>1</sup> Obtained the Bachelor of Law (S.H.) from Semarang State University (2013), Graduate Student on Master of Law, University of Gadjah Mada Yogyakarta.  
**email:** [ridwan.arifin@mail.ugm.ac.id](mailto:ridwan.arifin@mail.ugm.ac.id), [ridwanarifin.mail@gmail.com](mailto:ridwanarifin.mail@gmail.com)

## INTRODUCTION

International community considers three major imminent problems that threaten the life of their nations, namely: corruption, drugs and terrorism.<sup>2</sup> Of the three issues, corruption became the main focus of late, especially in Indonesia. Corruption, however its forms, has become a common enemy is not only for Indonesia, but for all the nation of the world. Corruption activities carried out by corruptors no longer only covers one country alone but covers many countries and across borders and so organized, so that corruption is categorized into extraordinary crime.

Corruption is commonly understood as the abuse of public office for private gain (Ofosu-Ammah, Sopramanien, and Uprety, 1999). It “involves behavior on the part of officials in the public and private sectors, in which they improperly and induce unlawfully enrich themselves and/or those close to them, or induce others to do so, by misusing the position in which they are placed” (ADB, 2000).<sup>3</sup> Therefore, a corruption is a form of seeking personal gain.

Corruption according to World Bank is one of the greatest inhibiting forces to equitable development to the combating of poverty. For many, it constitutes the difference between life and death.<sup>4</sup> Corruption is now recognized as a perhaps the most challenging governance problem afflicting many countries. The growing condemnation of corrupt activities is a seismic shift in national mood. Many practices once part of business and politics-as-usual are now regarded as corrupt. Two events in the last decade—the East Asian financial crisis and the corruption scandals involving the highest government officials—helped catalyze the change perception of corrupt practice. As a result, awareness about the corrosive effects of corruption is at an all-time high and corruption is invariably among the top problems cited in citizen surveys.<sup>5</sup>

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<sup>2</sup> Novriady Erman, “The Role of International Instrument in Assets Recovery: What Can We Learn So Far?” *Opino Juris Journal* Vol. 11 No. 01, 2012. p.17. See Fifty-seventh General Assembly, Third Committee, *Critical Links Between Crime, Illicit Drugs, Corruption, and Terrorism: Revealed by 11 September Events*, Third Committee Told, Press Release of General Assembly GA/SHC/690, 1 October 2002; Christopher Spencer, *Global Issues of the Twenty-First Century and United Nations Challenges, A Guide to Facts and Views on Major or Future Trends*, Canadian Department of Foreign Affairs and International Trade, 8 October 2011; *Organized Crime and Drug Trafficking Major Threats to International Peace and Security*, UNODC head tells Security Council, accessible at <http://www.unodc.org/unodc/en/frontpage/2011/November/organized-crime-and-drug-trafficking-major-threats-to-international-peace-and-security.html>.

<sup>3</sup> Asian Development Bank (ADB), 2000, *anti-Corruption Policy: Description and Answers to Frequently Asked Questions*, Manila, Philippines.

<sup>4</sup> Vinay Bhargava and Emil Bologaita, 2004, *Challenging Corruption in Asia: Case Studies and a Framework for Action*, the World Bank, Washington D.C., p. cover (back).

<sup>5</sup>*Ibid.*, p. 1.

In several countries around the world, opportunities have emerged for the launching or reinvigorating of national anticorruption programs and policies. In many ways the corrupt forces in these countries now face anticorruption forces that are less discrete and more organized than before. Across countries, previously dispersed and silenced elements from within and outside government appear to be overcoming problems of collective action as they create coalitions against corruption. In some countries progress are remarkable. Groups have taken advantage of the problems and opening to form broad-based coalitions, gathering momentum at such inexorable pace that vested interest have been overcome swiftly.<sup>6</sup>

Widjojanto (2012) emphasized that corruption today has changed and transformed to be global or international corruption, that overseas as based of criminals like hiding the proceed of crime (save haven), dismissing the trail of transaction, escape as fugitive, and the venue for bribe transaction. Besides, corruption also used the sophisticated technology, and also using gate keepers and corporate layering.<sup>7</sup> The transformation of corruption, that today becoming the modern corruption which is the cross border activities, involved many technologies, and used the expert for those activities, about this condition Suprapdiono (2012)<sup>8</sup> ever described that international cooperation and partnership are inevitably shaped by shifting international paradigm about corruption from the traditional to modern. First, corruption is a global concern that in why corruption eradication has to be globalized. Globalization provides opportunities for increased international trade and investment, but as well as corruption. Second, corruption is not merely a single jurisdiction issue but a multi-jurisdiction issue. The perpetrators of corruption are aware that overseas jurisdictions are safe haven for them.

Third, global anti-corruption spirit has departed from conventional to a more sophisticated and globalized modus operandi. It used to be that corruption was treated as an ordinary and conventional crime, ending only with the trial and conviction of the perpetrators. These days, it is not enough to tackle down the criminals and put them in jail. It is also important to track and recover the assets that are stolen and hidden all over the world. Asset recovery is one paramount effort in the fight against corruption and money laundering. Furthermore, proceeds of corruption and money laundering will create another potential crime in fighting the law enforcement process. The ill-gotten money will be a source for

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<sup>6</sup>*Ibid.*, p. 17.

<sup>7</sup> Bambang Widjojanto, 2012, *KPK Indonesia: Experiences in Handling International Cooperation and Mutual Legal Assistance*, **Paper** on KPK International Workshop, September 10<sup>th</sup> 2012.

<sup>8</sup> Giri Suprapdiono, 2012, "Developing International Cooperation: A Need for Expediting Mutual Legal Assistance", *Opinio Juris Journal*, Foreign Ministry Affairs of Republic Indonesia, Vol. 11 No. 01, May-August 2012, pp. 64-65.



another crime in order to cover crime under investigation or to support obstruction of justice. The weaker and poorer corruptors are, the easier the job of law enforcement becomes.

Fourth, a transnational corruption requires swift and effective transnational law enforcement. The modus operandi often involves countries abroad as loci for transaction, safekeeping of stolen assets, hiding the evidences and sanctuary for fugitives. Today, corrupt officials and the bribers, ill-gotten gains and evidence of the crime may all be in multi-jurisdiction. Therefore, in this modern day and age, there need to be a better way to address corruption. The fact that international cooperation has developed in recent years, there should not be any safe haven for corruptors to hide in this world. Wherever and whenever they hide, they have to be dealt with international law enforcement networks.

### **CORRUPTION IN ASEAN: A LESSON LEARNT**

Growing numbers of citizens in several Asian countries, like other countries increasingly influenced by external forces of globalization and internal pressures for democratization, are becoming increasingly aware of the effects of corruption. With newfound voices they are demanding better behavior from their leaders even as they wish for better lives themselves. The clamor of citizens resonates with the concerns of an international community that is itself increasingly aware of the costs and consequences of corruption. Because of their networks and resources, international actors have uncommon leverage in demanding better governance in exchange for the support they provide. In seeking change and reform in governance, there is a burgeoning demand among national and international anticorruption players and stakeholders for more knowledge, greater information, and increased insight about corruption.<sup>9</sup>

To meet that demand, a number of institutions have worked to overcome the inherent difficulties of generating and analyzing information on the naturally secretive world of corruption. To be sure, data concerning the extent of corruption across countries are hard to collect. Despite these methodological constraints, a number of institutions are regularly assessing corruption comparatively.<sup>10</sup>

Transparency International's (TI's) Corruption Perceptions Index (CPI), for instance, is among the more prominently used measures of corruption. Drawing on various international and country surveys, TI's CPI scores provide a useful partial measure of the challenge of combating corruption in Asia. CPI scores relate to perceptions of the degree of corruption based on surveys of businesspeople, academics, and risk analysts, and range between 10 (highly clean) and 0 (highly corrupt). Using this measure we see, as listed in table 2.1,

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<sup>9</sup> Vinay Bhargava and Emil Bologaita, *Op.Cit.*, p. 7.

<sup>10</sup>*Ibid.*,

that most of the developing countries in Asia have CPI scores at or below 4 and thus have a long way to go to reach a corruption-controlled state,<sup>11</sup> even data CPI scores in 2013 as listed in table 2.2.<sup>12</sup>

**Table 2.1. Corruption Perception Index Scores, 2000-2003**

<i>Economy</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>
Singapore	9.1	9.2	9.3	9.4
Australia	8.3	8.5	8.6	8.8
Hongkong, China	7.7	7.9	8.2	8.0
Japan	6.4	7.1	7.1	7.0
Taiwan, China	5.5	5.9	5.6	5.7
Malaysia	4.8	5.0	4.9	5.2
Republic of Korea	4.0	4.2	4.5	4.3
China	3.1	3.5	3.5	3.4
Thailand	3.2	3.2	3.2	3.3
India	2.8	2.7	2.7	2.8
Philippines	2.8	2.9	2.6	2.5
Pakistan	n.a.	2.3	2.6	2.5
Vietnam	2.5	2.6	2.4	2.4
Indonesia	1.7	1.9	1.9	1.9
Bangladesh	n.a.	0.4	1.2	1.2
Regional average	4.4	4.3	4.6	4.5

*n.a. Not Available*

*Source: Transparency International, at [www.transparency.org](http://www.transparency.org).*

**Table 2.2. Corruption Perception Index Scores 2013**

<i>Country</i>	<i>Score</i>
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<sup>11</sup>*Ibid.*

<sup>12</sup> Transparency International Corruption Perception Index 2013 (Report)

Brunei	60
Cambodia	20
Indonesia	32
Laos	26
Malaysia	50
Myanmar	21
Philippines	36
Singapore	86
Thailand	35
Vietnam	31
Papua New Guniea	25
Timor Leste	30
China	40
Japan	74
South Korea	55

Source: Transparency International Corruption Perception Index 2013 (Report)

The consequences of corruption can be minimized if a government has an effective anti-corruption strategy, and implements it impartially. Specifically, the more effective anti-corruption measures are, the greater will be the probability of reducing corruption. Such effectiveness depends upon two factors: (1) the adequacy of measures undertaken; and (2) the level of commitment of political leaders to the goal of minimizing corruption. In other words, for anti-corruption measures to be an effective, they must be properly designed to attack the causes of corruption, and must be sponsored and upheld sincerely by political leaders. In short, the most elaborate and well-designed anti-corruption measures will be useless if they are not enforced.

### **Story from Indonesia<sup>13</sup>**

Combating corruption, for South East Asian countries, especially for Indonesia, was the challenging issue until now. How international cooperation worked and becoming an alternative solution for combating the corruption around the world, can be seen in case stories of Muhammad Nazaruddin and

<sup>13</sup> Data edited from Giri Supardiono, *Ibid.*, pp. 68-70.

Nunun Nurbaeti. Many years ago, media coverage and public attention in Indonesia was focused on the arrest of high-profile corruption suspects who fled abroad as fugitives, and the ultimate repatriation of Muhammad Nazaruddin (MN) from Colombia and Nunun Nurbaeti (NN) from Thailand. Printed and electronic media fed public's appetite with live updates day and night. Yet many were unaware of the hard work behind it that is cultivating international cooperation to ensure the success of such complicated operations.

The repatriation of Indonesian Eradication Corruption Commission (KPK) fugitives from foreign jurisdictions is not a simple undertaking. The case of MN and NN, for example, involve the cooperation of anti-corruption Agency networks, International Police (Interpol), Colombian authorities, including other law enforcements, especially the crucial role of investigators and intelligence agents from anti-corruption bodies of Singapore, Malaysia, United States, Laos, Thailand, Vietnam, Hong Kong, China, Cambodia, the Dominican Island, Venezuela, Barbados, Maldives, and other jurisdictions. The complexity is that our power and authority are limited in overseas jurisdiction and depend on the authority of our counterparts in overseas jurisdiction. It also require adequate budget and logistics for any urgent matters for example transporting the fugitive using private jets (million of US\$), data and information cost, hospitality with overseas counterparts, etc. corruptors pays expensive and prominent lawyer in the respective jurisdiction who could delay any process of repatriation by requesting "impunity or asylum request", extradition appeal, and other legal process. And if the case involve politician, mafia in syndicated corruption, there is another big challenge domestically and overseas due to obstruction of justice that might happen in the process of repatriation.

In the case of MN, law enforcement transport the wanted person using private jets over 15 jurisdictions in more than 70 hours in flight, using informal channels of Interpol, anti-corruption agency networks and strong immigration network. The method of repatriation use immigration expulsion (not deportation) methods to repatriate the wanted person, rather than formal channels such as extradition. In addition, Mutual Legal Assistance (MLA) has been sent to many jurisdictions in order to secure proper and formal process in the potential jurisdiction such as Cambodia, Malaysia, Singapore, Vietnam, etc. These are just some of the examples of using international cooperation networks in for tracking, locating the trail and arresting the criminals. The extradition channel was not the option in this case since legal formalities of the extradition will prolong execution of requests and the negotiation is time and resource consuming, while public expectation is extremely high in seeking the results of repatriation.

It is also similar in the NN case, informal and formal channels were concurrently and simultaneously used. KPK has sent some MLA (Mutual legal

Assistance in criminal matters) request to several jurisdictions to locate and arrest the fugitive and submitted extradition request to Thailand authority including producing arrest warrant. MLA requests are intended to open investigation in respective jurisdiction by locating, profiling, seeking information including movement records and to secure the process of investigation in overseas jurisdiction. MLA authorizes adequate power for overseas investigator to handle the case in the proper and lawful way. MLA request can be delivered using Central Authority to Central Authority (CA to CA) or Diplomatic Channels. Another formal request in this case is extradition request using diplomatic channels. The extradition request will derive the arrest warrant from the requested parties. Arrest warrant is the coercive measure that falls under extradition.

Repatriation of fugitives and their proceeds of crimes from abroad are some of the benefits that international cooperation networks can provide. Thus, the best way to investigate corruption and money laundering in multi-jurisdiction is by using both formal channels, MLA and extradition, and cultivating informal channels in international networks to expedite the due law process. The informal networks become important in handling syndicated corruption to avoid the possible obstruction of justice that happened in the state that capture corruptors like in Indonesia and other developing countries.

## **THE ASEAN COOPERATION COMBATING CORRUPTION**

Heller (2009), the importance in measuring corruption, and by extension, good governance (one of its antidotes), is not simply an esoteric academic debate left to development economists, political theoreticians, and statisticians. It has become, rather, a central issue to the broader field of good governance and anti-corruption reform, as a country's performance in such reforms has become increasingly linked to foreign aid flows.<sup>14</sup> Then, actually, on combating corruption as described before, was needed the cooperation, the formal or informal cooperation, especially for South East Asian countries.

There are two types of legal framework in international cooperation, treaty based and non-treaty based. Treaty based can be divided into multilateral conventions and agreements such as UNCAC (United Nations Conventions against Corruption), OECD Anti-Bribery Convention, AMLAT (ASEAN Mutual Legal Assistance treaty) and bilateral treaties. While non-treaty based use MLA

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<sup>14</sup> Nathaniel Heller, 2009, "Defining and Measuring Corruption: Where Have We Come from, Where Are We Now, and What Matters For the Future?" on Robert I. Rotberg (ed.), 2009, *Corruption, Global Security, and World Order*, World Peace Foundation and American Academy of Arts & Sciences, Cambridge, Massachusetts, p. 47,

provision in their domestic legislation and letter of regulatory.

Using multilateral conventions, multilateral and bilateral treaties or agreement negotiation mostly as tools of legal assistance request is time and resource consuming, requires legal formalities that may prolong execution of request and in some case quite slow and might compromise confidentiality of case or sensitive information. Therefore, dealing multi jurisdiction investigation should use informal approach as complementary. It is a bridging process in dealing with formal approach such as Extradition and MLA. This concept is well noted in international best practices in handling international investigation processes.

Informal approach can also be used for exchanging information and preliminary evidence for investigation lead, providing non sensitive data such immigration records and open source information, tracing property and non-financial records, getting investigation lead information, locating the man-hunt, and other non-coercive measures. Formal channels is mandatory for getting assistance in using coercive measure from other jurisdiction, such as arresting, repatriating asset, obtaining bank record, getting the evidence for court proceeding, freezing and seizing the assets, etc.

Arifin<sup>15</sup> ever been described some of the factors which become the problems in the process of asset returns, especially in Indonesia, are: different legal systems, weak political will, bilateral relations between Indonesia and other countries, the implementation of the principle of bank secrecy, and the verdict is weak. Furthermore, the problems of asset recovery efforts during this extremely diverse, where barriers are influenced by various factors. One of them is ever disclosed as Dutcher<sup>16</sup> that white collar crime is almost related to the velocity of money is not just involve one party alone , but organized with a variety of acts such as fraud, mark-up, and even money laundering. It emphasized how

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<sup>15</sup> Arifin ever tried to investigate the role of some institutions in Indonesia such as the Corruption Eradication Commission, the Attorney General, Directorate of Political Security and Territorial Ministry of Foreign Affairs, Ministry of Law and Human Rights, NCB Interpol Indonesia, and Central Authority. All have an important strategic role in corruption asset recovery efforts, but rather the main obstacle is the problem of diplomacy and international cooperation. Because the assets of the corruption that infested in some countries very difficult returned for various reasons. Arifin said that the court ruling did not specify the amount of assets and the location of the asset is stored, so in an effort to return on assets located abroad becomes very difficult. See Ridwan Arifin, 2013, "The Effort of Corrupted Assets Recovery which being Abroad on Law Enforcement of Corruption Eradication Law in Indonesia", *Final Project*, Faculty of Law. Semarang State University, 2013; Ridwan Arifin, 2013, "Empowering International Cooperation's Role in the Follow of Assets of Corruption's Result", *Paper* on International Conference on International Law, October 2013, Aceh Indonesia.

<sup>16</sup> J. Scoot Dutcher, "The Justification for Harsher Punishment of White-Collar and Corporate Crime" *Arizona State Law Journal*, Vol. 70: 1295, 2006. p. 1297.

international cooperation was needed in combating corruption, as J. Edgar Hoover, Director of FBI said that “the most effective against crime is cooperation.”<sup>17</sup>

The role of intelligence cooperation within multilateral networks such as Interpol, ACA (Anti-Corruption Agency) networks such as IAACA (International Association of Anti-Corruption Authorities), OECD law enforcement group, Edgmont group, Euro Just, Corruption Hunter Networks, SEA-PAC (South East Asia Parties against Corruption) are crucial and important nowadays. Intelligence cooperation shifted from negative cold war image of undermining other jurisdiction interest to positive image of bilateral relationship in handling and exchanging information in criminal matters, such as anti-money laundering regime, anti-corruption regime and other form of data and information exchange cooperation. Good intelligence cooperation and its networks among the law enforcements around the world could defeat the criminals.

In some cases, corruptors who are united and have their own networks can only be defeated by law enforcement networks. Criminal has their own syndicates in operating their modus operandi and require support of pertinent power resources. Networks are the key strategy of winning the war. The best law enforcement agencies in the world puts the cooperation strategy to create good and trusted network i.e. FBI USA, SFO-UK, ICAC Hong Kong including KPK in handling corruption cases. Good cooperation will create easy access of information, willingness to help the process, efficiency and effectiveness in getting the result, maintain cooperation witness, and expedite the process.

It is emphasized that channel of cooperation can be through diplomatic channels (government to government), mutual legal assistance treaties (MLAT) channels (central authority to central authority), Interpol networks (police to police), or anti-corruption agencies (ACA's) channels (agency to agency). Further, Indonesia with the KPK as anti corruption special agency, has joint investigation and intelligence cooperation with many stake holders, such as: (1) FBI, IRIS, DOJ Customs and Immigration USA; (2) CPIB Singapore; (3) ACB Brunei; (4) ICAC Hong Kong; (5) MACC Malaysia; (6) SFO United Kingdom; (7) AFP Australia; (8) Interpol; (9) PROVEDOR Timor Lester; (10) ACU Cambodia; (11) NACC Thailand; (12) GIV Vietnam; (13) SPP China, etc.

About the challenges in MLA and International cooperation, some data described that (1) non cooperative jurisdiction extradition, MLA or asset recovery; (2) difficulties in getting information from overseas as lead of investigation (prohibiting of fishing expedition, bank secrecy, immigration records); (3) complicated legal system and procedures; (4) slow process of MLA

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<sup>17</sup> J. Edgar Hoover, Director of FBI imprinted at FBI Headquarter's Wall, **cited** from Giri Supardiono, *Op. Cit.*, p. 63.

channel/mechanism in handling immediate action (i.e. red handed, asset freezing) in domestic and overseas authority; (5) lack of capacity investigator, prosecutor, or judge in dealing overseas jurisdictions; (6) more sophisticated modus operandi; (7) high cost and time consuming in dealing MLA; (8) conflict of interest of the authorities. <sup>18</sup>

## **Bibliography**

### **Books**

Asian Development Bank (ADB), 2000, *anti-Corruption Policy: Description and Answers to Frequently Asked Questions*, Manila, Philippines.

Nathaniel Heller, 2009, "Defining and Measuring Corruption: Where Have We Come from, Where Are We Now, and What Matters For the Future?" on Robert I. Rotberg (ed.), 2009, *Corruption, Global Security, and World Order*, World Peace Foundation and American Academy of Arts & Sciences, Cambridge, Massachusetts.

Vinay Bhargava and Emil Bologaita, 2004, *Challenging Corruption in Asia: Case Studies and a Framework for Action*, the World Bank, Washington D.C.

### **Papers, Journals, Documents**

Arifin, Ridwan, 2013, "Empowering International Cooperation's Role in the Follow of Assets of Corruption's Result," *Paper*, International Conference on International Law CILS (Center of International Law Studies), October 2013, Aceh Indonesia.

Erman, Novriady, "The Role of International Instrument in Assets Recovery: What Can We Learn So Far?" *Opinio Juris Journal*, Foreign Ministry Affairs of Republic Indonesia, Vol. 11 No. 01, May-August 2012.

Giri Suprapdiono, 2012, "Developing International Cooperation: A Need for Expediting Mutual Legal Assistance", *Opinio Juris Journal*, Foreign Ministry Affairs of Republic Indonesia, Vol. 11 No. 01, May-August 2012.

J. Scoot Dutcer, "The Justification for Harsher Punishment of White-Collar and Corporate Crime" *Arizona State Law Journal*, Vol. 70: 1295, 2006.

Widjojanto, Bambang 2012, "KPK Indonesia: Experiences in Handling International Cooperation and Mutual Legal Assistance", *Paper*, KPK International Workshop, September 10<sup>th</sup> 2012.

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<sup>18</sup> Bambang Widjojanto, *Op.Cit.*



Transparency International Corruption Perception Index 2013 (Report)

### **Thesis**

RidwanArifin, 2013, “The Effort of Corrupted Assets Recovery which being Abroad on Law Enforcement of Corruption Eradication Law in Indonesia”, **Final Project**, Faculty of Law. Semarang State University, 2013.

### **Internet**

[...] <http://www.unodc.org/unodc/en/frontpage/2011/November/organized-crime-and-drug-trafficking-major-threats-to-international-peace-and-security.html>.

**ASEAN (IN) SECURITY COMMUNITY? ARMS  
RACE AND COLLECTIVE IDENTITY BUILDING IN  
SOUTHEAST ASIA**

**MOHAMAD ROSYIDIN**  
UNIVERSITAS DIPONEGORO



# **ASEAN (IN)SECURITY COMMUNITY? ARMS RACE AND COLLECTIVE IDENTITY BUILDING IN SOUTHEAST ASIA<sup>19</sup>**

**Mohamad Rosyidin**

Diponegoro University

## **Abstract**

The existence of arms race indicated by defense budget escalation can be regarded as the high degree of security dilemma among states. In Southeast Asia, the fact that defense budget escalation followed by the military modernization may be the biggest obstacle to create an ASEAN Security Community. Unfortunately, there has been a little attention on the issue studying the correlation between arms race and the prospect of ASEAN Security Community. This paper seeks to fill the gap by analyzing how arms race in Southeast Asia is counterproductive to the ASEAN Security Community development. Using constructivism in International Relations, this paper argues that arms race among several ASEAN member states hinders collective identity building as a fundamental factor behind the security community. This argument implies that the formation of ASEAN Security Community in 2015 is a premature decision and will not ensure long-lasting peace in the region. This paper suggests that ASEAN should focus on collective identity formation to strengthen its own body institution rather than merely declare in a formal treaty.

**Keywords: arms race, ASEAN Security Community, collective identity**

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<sup>19</sup> Paper presented at the international conference on ASEAN Studies, “Inner and Outer Look of Southeast Asia in 2015: Championing ASEAN Community,” held by ASEAN Studies Center Gadjah Mada University, 1-2 October 2014. The author would like to thank Nadia Farabi for her valuable comments and reviews.

## **Introduction**

At the 24<sup>th</sup> ASEAN Summit held in Nay Pyi Daw Myanmar, May 11, 2014, President Susilo Bambang Yudhoyono (SBY) has highlighted the need to establish an ASEAN Political Security Community to handle security threats in the future, both in Southeast Asia and East Asia as well as on the global level (The Jakarta Post 2014). Yudhoyono stated it during high tension in the South China Sea after an incident between Vietnam and China in the disputed region. In addition, the urgency to establish ASEAN security community based on the fact that ASEAN members are still facing conflicts that destabilize the region, such as Thailand-Cambodia and Malaysia-Philippines as well as ethnic conflict such as the Muslim Rohingya in Myanmar and Pattani in Thailand. If ASEAN had no a robust regional security institutions, the peace in Southeast Asia would increasingly short of expectations.

One of crucial issues about the future of Southeast Asian security that has been neglected by many analysts is arms race. Most existing studies on arms race in Southeast Asia have been trying to explain why states increase its military expenditure to purchase more weapons. For example, Andrew Tan (2004) stated that ASEAN military buildup is motivated by the national interest to protect economic resources. Meanwhile, Richard Bitzinger (2007) examined the link between arms race in Southeast Asia and the 'fear syndrome' concerning China's rise. Instead of anticipating threat from ASEAN fellow members, amplifying defence posture is a policy against China's rise. There has been no study analyzing the link between military reinforcement among ASEAN states and the future of ASEAN security community. A longstanding analysis only mentioned that arms race among ASEAN members can lead to "a sense of insecurity compounded by their traditional distrust and suspicion that exist among them" (Yusof 1996: 12). Meanwhile, Amitav Acharya (2013) also mentioned that arms race is one of the challenges of the establishment of ASEAN Community. Unfortunately, Acharya did not analyze further how it happens. In short, there is no work that specifically focuses on the relationship between the arms race and the prospect of the establishment of ASEAN Security Community.

This paper seeks to fill the gap by analyzing the linkage between arms race among ASEAN states and the prospects for the establishment of ASEAN Security Community. Using constructivist perspective in the study of International Relations, this paper argues that arms race among ASEAN members hinders collective identity building among ASEAN countries as an essential foundation to establish a security community. Furthermore, this paper argues that the establishment of ASEAN Community in 2015 would be a premature policy due to the unpreparedness of the member states to reduce the degree of suspicion and pattern of conflictual relationships. Constructivist suggests that the initial requirement to form a strong and enduring security community is to develop 'We-

feelings' among themselves. Yet, recent trend of arms race in the region prevents the effort to build collectivity.

This paper will be divided into several parts. The first section will highlight the perspectives of constructivism that would be useful in explaining the security community. This section focuses on the concept of collective identity formation as a crucial factor behind a security community. The second part will distinguish concept of arms race and other overlapping concepts such as arms dynamics, military modernization, arms build up, and arms procurement. The third section will review the trend of arms race in Southeast Asia by focusing on the policies of the ASEAN member countries in strengthening their defense posture. The fourth section is an analysis that would link arms race and the prospect of the establishment of the ASEAN security community and how its implications for long-term peace-building efforts in Southeast Asia. The fifth part is conclusions and recommendations.

### **The Role of Collective Identity in the Security Community**

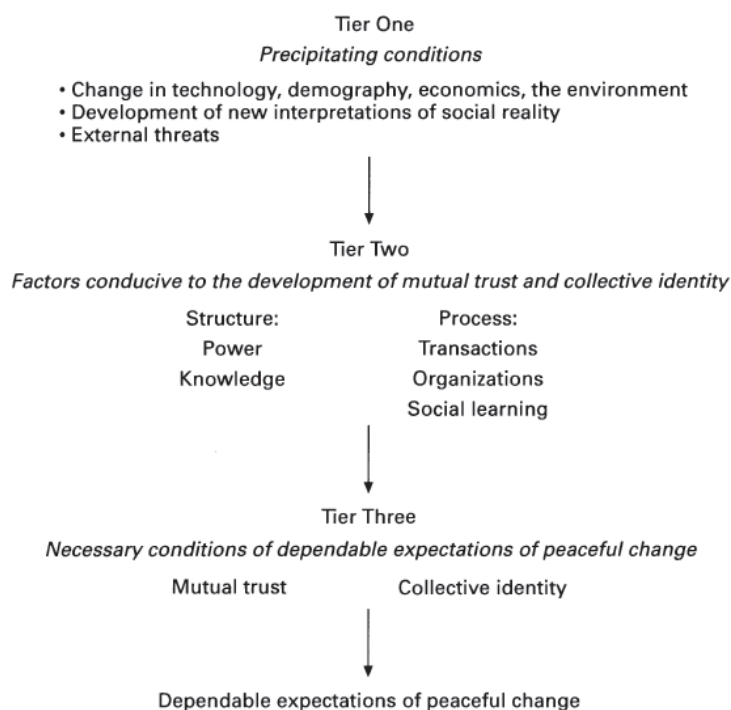
In international security studies, a group of states which are bound by a sense of solidarity is commonly recognized as a security community. The standard definition of security community proposed by Karl Deutsch (1957) in his classic work as “a group of countries that do not intend to fight each other and resolve problems peacefully.” The security community is thus a mechanism for peaceful resolution of disputes without the use of military instrument. The aim of the security community is to anticipate and to resolve internal threats and conflict among themselves by non-violent ways. This concept differs from alliance which is formed to counter external threats (Acharya 1991:161). With this regards, NATO could be regarded as an alliance rather than a security community. In addition to the logic of threat, the security community and the military alliances are different where the former is guided by the spirit of solidarity while the latter by the strategic interests. In other words, solidarity within a security community constituted by the meanings, understandings, and identities that create ‘cognitive region’ (Adler 2005: 182) while strategic interests refers to rational calculation of individual countries.

Constructivism has major contribution to the study of security communities. Constructivist adopted sociological approach to explain the formation process of the security community. One of the constructivist useful concepts is collective identity. Collective identity can simply be understood as the feeling of each state as part of a greater entity. Affiliation to a group requires loyalties that create shared understanding as well as interest. Collective identity is the basis for solidarity, community, and loyalty that drives the same interests (Wendt 1994: 386). As Wendt (1999: 229) put it, a positive identification of one state to another makes the differences become blurred. If states no longer

perceive each other differently, then their relationship is characterized as a friendship. The pattern of relationships that are characterized by similarities rather than dissimilarities creates ‘We-feeling’ or solidarity as previously mentioned.

Collective identity is a crucial factor behind the formation of a security community. Adler and Barnett (1998: 38) formulated an analytical framework treating collective identity as intervening variable. This means collective identity does not determine the establishment of security community. There are many other factors such as the presence of an external threat, international dynamics, and intensive interaction contributing to the establishment of security community. Nevertheless, the collective identity plays an important role in the process of how states are committed to not use a military approach when resolving conflicts. The existence of collective identity creates a sense of mutual trust among states. Conversely, mutual trusts among states strengthen collective identity. This mutual constitution creates friendship culture that is very important for the prospects of inter-state relations in a security community. Despite not a determining factor of the security community, collective identity is a ‘necessary condition’ that determines the success or failure of a community to create peace among its members. In short, without collective identity there is no community at all.

**Figure 1. Process of the establishment of security community**



**Source: Adler and Barnett (1998:38).**

Figure 1 shows crucial factors to the development of a security community. Based on the framework formulated by Adler and Barnett above, we could apply it to analyze the development of ASEAN as a security community. In his study, Amitav Acharya traced the origins of ASEAN using constructivist approach. According to him, ASEAN is a product of the common perception of an external threat (Acharya in Adler and Barnett 1998: 203). During the Cold War, ASEAN was formed by five countries: Indonesia, Malaysia, Singapore, Thailand, and the Philippines in response to the threat of communism exported by the Soviet Union. The common perception is a factor that allows the countries in the region agreed to form a regional organization that functions like a fortress to prevent the spread of the influence of communist ideology. As an ideological fortress, ASEAN was not oriented towards the far-out threats (Soviet Union or China), since communism in Southeast Asia had already infiltrated the region. At that time, the infiltration of communism manifested in the emergence of rebel movements were backed by communist countries such as Vietnam and China. Thus, the five countries realized the communist threat within the region so they were trying to prevent the spread of this threat by establishing ASEAN.

Once ASEAN formed, Southeast Asian countries had a regional organization that serves as an 'information bridge' to facilitate cooperation among countries in the region in various fields, especially economics and socio-cultural. The cooperation that had developed intensively then strengthens ASEAN as an organization that embodies a common interest. However, the increasing economic cooperation among ASEAN members did not automatically creates a sense of solidarity among its members. Conflicts among ASEAN states occurred frequently primarily on the border issue. According to the adherents of liberal and constructivism, the increasing interaction among states can lead to the creation of solidarity. Yet, this does not occur in Southeast Asia. Despite cooperation in various fields takes place intensively, ASEAN member states remain unable to unleash themselves from narrow-minded policies. Enduring conflicts among ASEAN members reflect the low level of solidarity even if cooperation in almost all aspects has been well-developed.

The low level of solidarity among ASEAN members can be understood by looking at the norms they are embraced. ASEAN has been adopted norms that recognize the sovereignty of each member or 'norms of non-interference' or widely known as 'ASEAN Way'. Unlike the European Union, ASEAN adopted the principle of non-interference that prevents the creation of a sense of 'We-ness'. This characteristic makes ASEAN is categorized as a 'pluralistic security community'. Emmerson (2005:171) defines a pluralistic security community is made up of sovereign states as opposed to the amalgamated security community consisting of the countries that had surrendered its sovereignty to the larger community. With the principle of non-interference adopted since the establishment of ASEAN, "[H]istorically the ASEAN region has been a thin and



pluralistic security community” (Emmerson 2005:180). Pluralistic security community does not seek to erode the sovereignty among member states (Acharya 2001:156). Because the sovereign pluralistic security community is inviolable, it is much difficult to build collectivity in the genuine meaning. On the contrary, an amalgamated security community has shared understanding and shared interests which are relatively easy to build collectivity among its members. As a pluralistic security community ASEAN collectivity can be created through the development of collective identity that can unite their perceptions and interests in managing conflicts among themselves.

### **Why Bother? Arms Race and Other Concepts**

Before examining the trend of an arms race in Southeast Asia, we need to distinguish several confusing and overlapping concepts: ‘arms race’, ‘military modernization’, ‘arms dynamics’, ‘arms build-up’, and ‘arms procurement’. Arms race defined as “the participation of two or more nation-states in competitive or interactive apparently increases in the quantity or quality of war materials and/or persons under arms” (Smith 1980:255). Arms race reflects the self-help behavior of states when responding to the actions of other states which are also doing the same thing. In other words, arms race is a reaction when states are threatened by others. This situation follows the logic of the security dilemma where increasing security by one state cause others feel insecure so constrained to increase its own security. This condition can be so dangerous and potentially lead to war.

Military modernization, on the other hand, is defined as “the relevant upgrade or improvement of existing military capabilities through the acquisition of new imported or indigenously developed weapons systems and supporting assets, the incorporation of new doctrines, the creation of new organizational structures, and the institutionalization of new manpower management and combat training regime” (Tellis in Tellis and Wills 2005: 15). Thus, military modernization is the domestic policy of a country in the field of defense. In addition, military modernization is not limited to the strengthening of the weapon system hardware. Military modernization covers very broad and comprehensive strategic policy. Military modernizations also overlook the issue outside the scope of the domestic policy of a country such as the reactions of other countries respond to the military’s modernization policy. Military modernization is another term to describe ‘arms dynamic’ or ‘arms build-up’. Buzan and Herrings (1998:5) defines arms dynamic as “the entire set of pressures that make-actors (usually states) acquire both armed forces and change the quantity and quality of the armed forces they possess.” This policy is intended to safeguard national security and not to dominate others.

Richard Bitzinger (2010) in his article argued that the escalation of defence spending in Southeast Asia can not be considered as arms race. Purchasing

weapons does not entail mutual hostility and intention to dominate or defeat others as the Cold War logic. Rather, the massive arms purchasing among ASEAN members is more accurately described as 'military modernization'. However, this paper argues that the desire of a state to have strong military capabilities would most-likely rise suspicion that leads another state perceives it as potential threat. Although policies to strengthen the defense posture is exclusively domestic sphere, but the policy may trigger other countries do the same thing (Gray 1971: 40).

The latter concept is arms procurement or defense industrialization. Arms procurement is part of a military modernization. In an effort to improve the military capabilities of a country, the government takes steps to support the strengthening of military combat capability. Building a strategic industry in the field of defense is a step often adopted by the government. Investment in the defense industry means reducing reliance on imported weapons from big powers. Similar to the concept of military modernization, arms procurement is an instrument of self-defense or 'self-sufficiency' principle (Evans 1988: 296).

So far it can be concluded that basically arms race is different from other concepts alike. Arms race is a relational interactions involving competition among states in terms of weaponry. It represents the security dilemma that is not present in the definition of military build up or arms dynamics. Regardless of these conceptual differences, this paper argues that the military modernization or arms dynamic among ASEAN countries can lead to an arms race. In a globalization characterized by massive interaction among international actors, the domestic policies taken by a state can easily affect others. Military modernization policies under the pretext of self-defense even potentially be interpreted differently by other countries. That is why this paper assumes that the individual policies of ASEAN countries in the field of collective defense can be seen as a phenomenon that has led to an arms race. As Aaron Beng (2014: 59) has argued, the dividing line between the arms race and arms dynamics are 'gray area' in which it is very difficult to determine whether the escalation of defence spending and arms purchasing is considered as arms race or not.

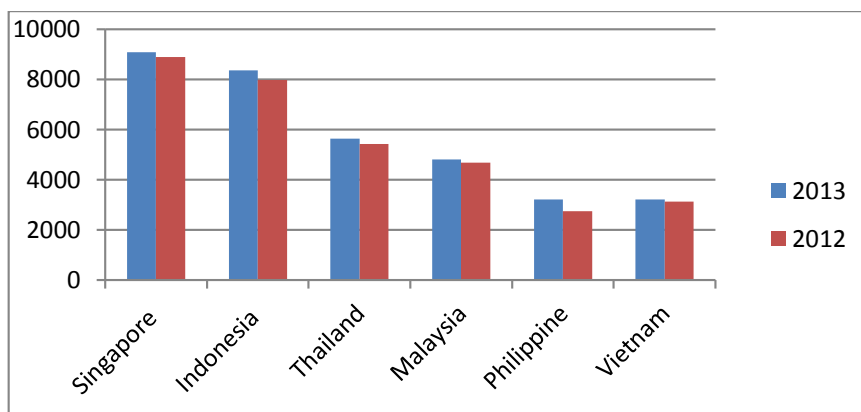
### **Arms Race in Southeast Asia: Current Trend**

In terms of underlying factors, arms races in Southeast Asia differ from other areas that are generally motivated by the fear of external threats. Acharya (1988) identified three factors that underlie the tendency of an arms race in Southeast Asia. First, Southeast Asian countries remained struggle with the problem of internal threats such as separatism and ethnic, religious, and cultural conflicts. Domestic instabilities triggered Southeast Asian countries to increase their military strength. Second, Southeast Asian countries had intention to break out of dependence on security umbrella of a great powers. The presence of US

military bases in a number of Southeast Asian countries is not long-lasting. By increasing their own military capabilities, Southeast Asian countries were ready in case the security umbrella of the great powers can no longer guarantee their security. Third, conflict in Indochina. This area has long often characterized by conflict. Indochina countries such as Vietnam, Cambodia, and Thailand are quite vulnerable hit by armed conflict. Therefore, several Southeast Asian Countries need to strengthen their defense capabilities to prevent armed conflicts.

The analysis above is no longer relevant to explain current affair in Southeast Asia. With the rise of China’s influence in international sphere, Chinese threat has been an important factor affecting military modernization policy in Southeast Asia. The increase in the defense budget becomes the primary indicator that reflects how ASEAN countries attempt to anticipate impending threats. The data from SIPRI in 2013 shows that the military budget of ASEAN countries has increased significantly. Singapore’s military budget is the largest in Southeast Asia, with US\$ 9,077 million or 3.4 per cent of GDP, Indonesia US\$ 8,356 million or 0.9 per cent of GDP, Thailand US\$ 5,638 million or 1.5 per cent of GDP, Malaysia US\$ 4,809 million or 1.5 per cent of GDP, the Philippines US\$ 3,208 million or 1.3 per cent of GDP, Vietnam US\$ 3,205 million or 2.3 per cent of GDP (SIPRI 2013). The number is expected to continue to rise from year to year. From these data, it can be concluded that Singapore is a country that allocates a large budget for defense than most other countries (3.4 per cent of GDP) while Indonesia is the smallest portion of the defense budget (only 0.9 per cent of GDP). However, in terms of the amount of Indonesian ranks second of all ASEAN countries.

**Figure 2. Military budget of ASEAN countries 2012-2013 (in US\$ million)**



The massive escalation of defense budget and arms purchasing in ASEAN is also driven by the security situation in the South China Sea. South China Sea has long been considered as an ‘armed camp’ (Kaplan 2011) that encourages claimant states strengthen its combat forces, especially their fleets. Vietnam is one of the

claimant states that are increasing their military capability in a large-scale. As Abuza (2014) puts it, “[B]y the Southeast Asian standards, Vietnam’s military modernization is impressive; no other country in the region has brought online as much capability as quickly as Vietnam.” In 2014, Vietnam buy 2,300 ton kilo-class submarines after the country signed a USD 2.1 billion deal with Russia in 2009 (watchinatimes.com 2014). The agreement “will give Vietnam the largest states and most modern submarine fleet in Southeast Asia” (Abuza 2014). To support the combat capability at sea, Vietnam equip it by purchasing warships and frigates and corvettes as well as fighter jet Su-30MK2 equipped with anti-ship missiles.

Philippines also triggered to modernize its military. Philippine Defense Department has established a three-year plan to buy fighter jets, naval helicopters, patrol aircraft, frigates, patrol vessels and multi-purpose attack vessels. The Philippines has offered a US\$ 1.5 billion budget to defense contractors around the world for phase one of its three-tier armed forces modernization program (wantchinatimes.com 2014). If Vietnam entrust its arms procurement from Russia, Philippines entrust to Western countries, especially the US. After the visit of Secretary of State John Kerry in December 2013, the Philippines planned to buy two warships.

Malaysia has reportedly planned to buy 18 new fighter aircraft to replace old-fashioned MiG-29 jet fighters. The new jet fighters would complement the F/A-18D Hornet and Sukhoi Su-30 that already exist. Malaysia will explore the possibility of cooperation with European manufacturers such as Dassault Aviation produces the Rafale jet fighter and BAE Systems of the UK that manufactures the Eurofighter Typhoon (defensenews.com 2014). Malaysia also has sought the cooperation between Boustead Heavy Industries and the French state-controlled naval contractor DCNS on a 9 billion ringgit, or US\$ 2.8 billion, contract for six coastal combat ships for Malaysian Navy (nytimes.com 2014). While Singapore works closely with the US that provides 43 per cent of the Singapore’s armament devices. Singapore also has allocated US\$ 2.43 billion to modernize the F-16 jet fighter and plans to buy advanced F-35 jet fighters (defensenews.com 2014). In terms of military (other than economy), Singapore is the strongest and most advanced country in Southeast Asia.

Indonesia is also catching up its military muscle from neighboring countries. In the 2014 State Budget, the government has planned to increase the defense budget to Rp. 83.4 trillion. This amount puts the Ministry of Defense as an institution receives the biggest budget allocation compared to other ministries (Tempo 2013). However, according to researcher from CSIS Alexandra Retno Wulan, in order to have a strong defense posture Indonesian defense budget should allocate at least a minimum of 2 per cent of GDP (The Jakarta Post 2014). In 2011, Indonesia signed a US\$ 1.07 billion deal with Daewoo Shipbuilding and

Marine Engineering (DSME) to build three submarines in addition to cooperation KFX fighter procurement/IFX and cooperation between PT. PINDAD and Turkish FNSS Defense Systems to develop tank (The Jakarta Post 2014). In his speech at Shangri-La Dialogue in 2013, Defense Minister Purnomo Yusgiantoro stated, “the development in the area of defense is aimed at making it commensurate with the requisites required to safeguard national sovereignty and territorial integrity of the country in the face of the dynamics of defense and security environments” (Yusgiantoro 2013). He added that “military modernization in Indonesia is not only warranted but [also] necessary.”

Aside from China factors and security situation in the South China Sea, Southeast Asia’s arms race does not diminish fear and suspicion among ASEAN member states. In other words, the policy of military modernization is also due to the efforts of ASEAN states to anticipate threats to each other, due to many cases of disputes among themselves. Indonesia, for example, has a relatively less harmonious relationship with Malaysia. Both Thailand and Cambodia in a couple of times involved in a border-issue conflict that destabilize the region. Meanwhile, Singapore has always been felt as a ‘lilliput’ which is surrounded by big countries, giving a reason to have the strongest defense capabilities in Southeast Asia. As Collins (2000:127) has argued, the Southeast Asian countries can be classified as the ‘weak’ countries not because of material capabilities they possess, but because they have not been immune from the security dilemma.

### **The Impact of Arms Race on the Prospect of ASEAN Security Community**

Constructivists generally hold an optimistic view on the prospects of security community. Constructivists believe that states sometimes are not always suspicious of one another like realists does. States can reduce the degree of suspicion and build a shared commitment to create peace among themselves. However, this paper argues that the fact is not always so. Constructivist can be pessimist on the prospects of security community based on the argument that collective identity is a necessary condition for the existence of a security community. Without collective identity, the security community would fail to promote peaceful conflict resolution. This is not to say that sovereignty should be blamed as the obstacle to the formation of such a community. Rather, states within a region should develop collectivity before they develop a security community. In short, constructivists are skeptical of the security community with lack of trust among its members.

In fact, collective identity building is not as easy as theory prescriptions. In Southeast Asia where the diversities are very large, collective identity seems like a jargon or symbolic. ASEAN Community motto “One Vision, One Identity, One Community” is not accompanied by strategies to build a solid foundation; ASEAN

do not concern on how to build 'One Identity'. It is ironic since one of the pillars of the ASEAN Political-Security Community is to "ensure that the peoples and Member States of ASEAN live in peace with one another and with the world at large in a just, democratic and harmonious environment" (ASEAN Secretariat 2009: 1). ASEAN is in fact aware of the importance a sense of solidarity or 'We-feeling' by pursuing strategic measures such as Confidence Building Measures (CBMs). As stated in the ASEAN Political-Security Community blueprint, strategic measures that can be performed such as bilateral defence department staff exchanges, joint military exercises and joint research. However, these measures remain unable to reduce mistrust between one country and another.

In addition, the term of 'arms race' does not appear in ASEAN Political-Security Community blueprint. No single term of 'arms race' was found in the manuscript. ASEAN apparently neglect arms race as a factor that could hinder their commitment to build a community. As mentioned earlier, CBMs only limited to staff exchanges at the level of defense agencies and military elites. If we refer to the standard definition of CBMs as "measures that address, prevent, or resolving uncertainties among states" (CSIS.org), then arms race should be a concern of many countries. Neither people exchange nor joint military exercises and research which are important, but ASEAN states should reduce their efforts to enhance military posture because it represents fear and strategic rivalry in the region.

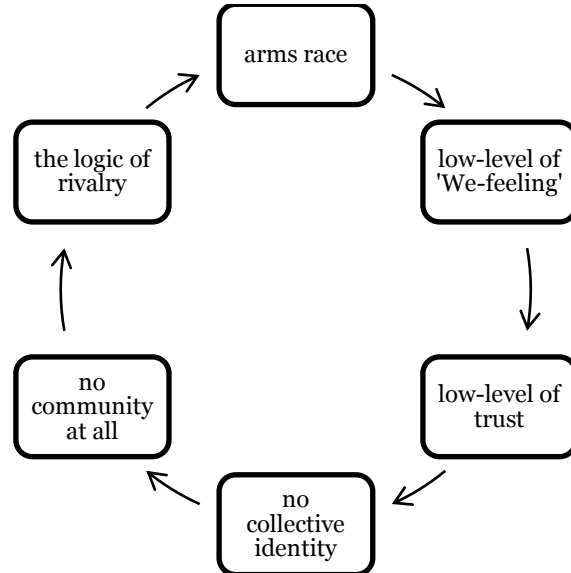
Arms race in Southeast Asia is directly related to the prospect of an ASEAN Security Community. Arms race lead to culture of rivalry among ASEAN states. Wendt (1999) called the culture of rivalry in international politics as Lockean culture. In Lockean 'logic of anarchy' states respect sovereignty of other countries and do not intend to conquer. Yet, the main characteristic of Lockean culture in international relations is states perceive each other as potential threat (Rosyidin 2014:21). Nevertheless, Lockean culture does not prevent states to cooperate despite fear and suspicious remain present in inter-state relations. Because strategic rivalry is dominated the logic of inter-state relations, Lockean culture is not appropriate condition to develop a security community.

Lockean culture is prominently present in Southeast Asian international relations. Although there is quite intensive cooperation, the strategic rivalries among ASEAN countries are also quite high at the same time. The increase of military budget followed by arms purchasing in order to strengthen the defense posture reflects this condition. In contrast to the commitment to build a security community that will ensure peace in the region, ASEAN fails to restraint its member from self-help policy. ASEAN fails to realize that one of the prominent characteristics of security community is "the absence of a competitive military build-up or arms race involving reviews their members" (Acharya 2001:17 and Acharya in Adler & Barnett 1998:216 ). According to Acharya, the reason why the

arms race should be eliminated is because arms race is “a key indicator of whether states have developed ‘dependable expectations of peaceful change’ and thereby overcome the security dilemma.”

We can easily understand the arguments above with the line of argument below. The figure shows the pattern of inter-state relations in Southeast Asia. Arms race leads to low level of ‘solidarity’ or ‘We-feeling’ among ASEAN members. Then, low level of ‘We-feeling’ represents the Lockean culture characterized by rivalry rather than solidarity. This in turn leads to lower trust among ASEAN members. Mutual trust is a fundamental prerequisite for the formation of a security community because without trust how the countries within a community might be able to manage conflict peacefully and effectively. Massive arms race in ASEAN members represents visible lack of mutual trust among them so it is difficult to build a collective identity in Southeast Asia. The absence of collective identity would make ASEAN Security Community no longer qualified as a ‘community’ in the real sense. Rather than being considered as a community, ASEAN remains follow the logic of the security dilemma that preserve rivalries among states leading to arms race policy.

**Figure 3. Cyclical relations between arms race and the prospect of ASEAN Security Community**



The model implies that arms race has negative impact on the prospect of peace in Southeast Asia. It seems logical since arms race in Southeast Asia associated with the high level of suspicion among ASEAN countries. Ganeshan (in Rolfe 2004:117) stated that ASEAN has failed as a security community because of “the prevalence of intramural threat perceptions and the large number of

outstanding bilateral issues that have the propensity to deteriorate into violence.” He added, “defense doctrines and weapon acquisitions of many ASEAN states are premised exactly on such conceptions of threat.” This argument supports the assumption that the military budget escalation of ASEAN countries followed by arms purchasing is anticipatory efforts to the threat perceived.

This is in contrast with the statement of the government elite. In celebration of 67<sup>th</sup> TNI anniversary in Jakarta, Yudhoyono said the Indonesian military modernization is not intended to trigger an arms race in the region. Yudhoyono said, “[A]s I often convey in various international forums, there is no intention for us to encourage an arms race in the region. Nor is it our intention to be an aggressive military nation. In every opportunity, I underline the foreign policy that we possess the which is always guided by the desire to increase of the friends and to not be enemies, or “million friends, zero enemy” (Cabinet Secretariat 2012). Similarly, Defense Minister Yudiantoro also said, “[W]e in Indonesia are quite mindful that our quest for more security does not need to lead to more insecurity for others. It is always better for the strategic intentions to be rightly understood - not wrongly perceived - by others. Transparency and clarity will lessen reduce misunderstanding and mistrust” (The Jakarta Post 2014). Although these statements are intended to convince neighboring countries that the Indonesian military modernization for the sake of self-defense, but other countries are also doing the same thing and this is inevitable.

Arms race is also exacerbated by the fact that most people in the ASEAN countries still perceive each other as a threat. Growing public opinion tends to see the source of the greatest threat comes from their neighboring countries. Research conducted by Benny (2012) on Indonesian society public opinion showed that patriotism and nationalism determine the perception of threat in the region. According to the study, 95 per cent of the respondents should be angry if there are other countries who have occupied the territory of Indonesia, while 92 per cent of respondents are willing to protest if government do not express decisive policies during conflict. The majority of the public also perceives the neighboring countries as the major threats. Two neighboring countries perceived as a source of the greatest threat to the people of Indonesia are Malaysia (60.5 per cent) and Singapore (20.4 per cent). Meanwhile, research conducted by Roberts (2007) also supports the argument that high degree of suspicion among ASEAN members drives arms race in the region. Myanmar, Singapore, and Indonesia are the three countries that have low level of trust to other countries. In elite government level, 59.8 per cent respondents said ‘do not trust’ other countries. Regarding the prospect of armed conflict between ASEAN countries, Cambodia, Thailand, and Singapore are the three countries who see the potential for conflict in ASEAN is quite large, with 28.6 per cent 41.7 per cent and 46.7 per cent respectively. The results of this study support the claim that the culture of inter-state relations in Southeast Asia are still overwhelmed by fear and rivalry.



Consequently, this provides fertile ground for countries efforts to strengthen its military capabilities in case friction that lead to armed conflict occurred.

The findings of this study imply that ASEAN Security Community would not create long-term peace in Southeast Asia due to the absence of collective identity. This argument is consistent with previous studies that are skeptical about the future of the ASEAN Security Community. For example, sceptics have argued that ASEAN is an 'imitation community' "that are essentially rhetorical shells that give form but no substance to domestic and international arrangements" (Jones and Smith 2006: 44). Similarly, Khoo (2004: 43) also criticized that "ASEAN is best explained as an institution that has its members locked into a vicious pattern of negative interaction." ASEAN failure as a security community is also caused by the lack of 'commitment institution' (Guan 2004 and Rosyidin 2013) and has no institutional maturity to resolve the conflict but rather rely on bilateral mechanism (Ganesan 1995). This paper supports such arguments even though has a different perspective. Using constructivism does not mean optimistic all the way down. Constructivism can be pessimistic to the security community because constructivist emphasizes on the importance of collective identity as a pre-condition of a security community development. Thus, this paper complements existing explanations related to ASEAN Security Community obstacles.

## **Conclusion and Policy Recommendation**

This paper argued that ASEAN's commitment to establish a security community in 2015 is not an unreasonable policy. ASEAN has a long history in managing conflict between members peacefully. However, many factors remain hinder to create a robust ASEAN Security Community. As the Directorate-General of ASEAN of the Indonesian Foreign Ministry, I Gusti Agung Wesaka Puja stated, the ASEAN Security Community is not an institution that formed in 2015, but it is something like gradual development (Puja 2013). Among many problems faced by ASEAN, the absence of collective identity becomes the main limiting factor. Collective identity is not only important but also that ASEAN has absolute trust between each other when resolving conflicts among themselves. In this context, arms race among ASEAN countries is counterproductive in the process of collective identity building. The arms race tends to preserve culture of individualism and sharpen the strategic rivalry that could lead to armed conflict. ASEAN's commitment to declare the ASEAN Community in 2015 in the midst of an arms race can be considered as a premature decision. In a contemporary situation in the South China Sea coupled with the arms race among ASEAN countries, the declaration is most likely just a formality rather than substantial.

This paper agreed that the ASEAN Security Community is not an end itself but an instrument to bring about peace in the region. Yet, creating instruments can not simply be done by signing the agreement. As Mattli (1999: 12) argued,

signing an agreement does not produce integration. In other words, there are commitments that must be adhered to and implemented the treaty in order to give impact to the parties involved in it. Much more important than that, ASEAN countries should not be too hasty to declare the ASEAN Community. In accordance with the plan set out in the 2003 Bali Concord II, the ASEAN Community was supposed to be realized by 2020. This plan is practically more realistic than accelerated in 2015. The reason is quite simple: ASEAN is not ready yet to become a community. However, the decision was already taken. This paper suggests ASEAN should strengthen its structural foundation instead of signing the declaration. One of the structural foundation is to build ASEAN's collective identity. ASEAN has no much time left to build the foundation and the ASEAN Security Community. As a result, ASEAN Security Community will be established with or without a collective identity.

## References

- Abuza, Zachary. "Vietnam's incomplete military modernization," <<http://cogitasia.com/vietnams-incomplete-military-modernization/>>, [accessed on August 12, 2014]
- Acharya, Amitav. "Arms Proliferation Issues in ASEAN: Towards a More 'Conventional' Defence Posture?," *Contemporary Southeast Asia*, Vol. 10, No. 3 (December 1988): 242-268.
- Acharya, Amitav. "ASEAN 2030: Challenges of Building a Mature Political and Security Community," *ADB Working Paper* No. 441, October 5, 2013.
- Acharya, Amitav. "Collective Identity and Conflict Management in Southeast Asia," in Emanuel Adler and Michael Barnett (eds.). *Security Communities*. Cambridge: Cambridge University Press, 1998.
- Acharya, Amitav. "The Association of Southeast Asian Nations: 'Security Community' or 'Defence Community'?" *Pacific Affairs*, Vol. 64, No. 2 (Summer 1991): 159-178.
- Acharya, Amitav. *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order*. London: Routledge, 2001.
- Adler, Emanuel and Michael Barnett (eds.). *Security Communities*. Cambridge: Cambridge University Press, 1998.
- Adler, Emanuel. *Communitarian International Relations: The Epistemic Foundations of International Relations*. London: Routledge, 2005.
- ASEAN Secretariat. *ASEAN Political-Security Community Blueprint*. Jakarta: ASEAN Secretariat, 2009.
- Beng, Aaron. "Submarine Procurement in Southeast Asia: Potential for Conflict and Prospects for Cooperation," *Journal of the Singapore Armed Forces*, Vol. 40, No. 1 (2014): 55-66.
- Benny, Guido. "The Indonesian Nationalism and Perceived Threats of Neighbouring Countries: Public Opinion toward the ASEAN Community," *International Journal on Social Science, Economics & Arts*, Vol. 2, No. 3 (2012): 38-44.

- Bitzinger, Richard. "A New Arms Race? Explaining Recent Southeast Asian Military Acquisitions," *Contemporary Southeast Asia*, Vol. 32, No. 1 (2010): 50-69.
- Bitzinger, Richard. *The China Syndrome: Chinese Military Modernization and the Rearming of Southeast Asia*, IDSS Working Paper No. 126, Singapore: Institute for Defense and Strategic Studies, May 2007.
- Buzan, Barry and Eric Herring. *The Arms Dynamic in World Politics*. Boulder: Lynne Rienner, 1998.
- Cabinet Secretariat. "SBY commemorates 67 years of TNI: Indonesia loves peace, but 'NKRI harga mati'," <<http://www.setkab.go.id/international-5965-sby-commemorates-67-years-of-tni-indonesia-loves-peace-but-nkri-harga-mati.html>>, [accessed on August 17, 2014].
- Center for Strategic and International Studies. "Confidence Building Measures," <<http://csis.org/programs/international-security-program/asia-division/cross-strait-security-initiative-/confidence-b>>, [accessed on August 16, 2014].
- Collins, Alan. *The Security Dilemmas of Southeast Asia*. New York: Palgrave Macmillan, 2000.
- Defense News. "Malaysia purchase jet fighters," <<http://www.defensenews.com/article/20140215/DEFREG03/302150021/Cash-Strapped-Malaysia-Looks-Lease-Fighters>>, [accessed on August 11, 2014].
- Defense News. "US: Singapore to buy upgrade for its F-16s fighter jets," <<http://www.defensenews.com/article/20140114/DEFREG03/301140037/US-Singapore-Buy-Upgrade-Its-F-16-Fighter-Jets>>, [accessed on August 15, 2014].
- Deutsch, Karl, et al. *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience*. Princeton: Princeton University Press, 1957.
- Emmerson, Donald. "Security, Community, and Democracy in Southeast Asia: Analyzing ASEAN," *Japanese Journal of Political Science*, Vol. 6, No. 2 (August 2005): 165-185.
- Evans III, Bryan. "Arms Procurement Policies in ASEAN: How Much is Enough?," *Contemporary Southeast Asia*, Vol. 10, No. 3 (December 1988): 294-305.
- Ganesan, Narayanan. "ASEAN: A Community Stalled?," in Jim Rolfe (ed.), *The Asia Pacific: A Region in Transition*. Honolulu, Hawaii: Asia-Pacific Center for Security Studies, 2004.
- Ganesan, Narayanan. "Rethinking ASEAN as a Security Community in Southeast Asia," *Asian Affairs*, Vol. 21, No. 4 (Winter, 1995): 210-226.
- Gray, Colin. "The Arms Race Phenomenon," *World Politics*, Vol. 24, No. 1 (October 1971): 39-79.
- Guan, Benny Teh Cheng. "ASEAN's Regional Integration Challenge: The ASEAN Process," *The Copenhagen Journal of Asian Studies*, Vol. 20 (2004): 70-94.
- Jones, David Martin and M.L.R. Smith. *ASEAN and East Asian International Relations: Regional Delusion*. Cheltenham: Edward Elgar, 2006.
- Kaplan, Robert. "The South China Sea is the Future of Conflict," <[http://www.foreignpolicy.com/articles/2011/08/15/the\\_south\\_china\\_sea\\_is\\_the\\_future\\_of\\_conflict](http://www.foreignpolicy.com/articles/2011/08/15/the_south_china_sea_is_the_future_of_conflict)>, [accessed on August 17, 2014].

- Khoo, Nicholas. "Deconstructing the ASEAN Security Community: A Review Essay," *International Relations in Asia Pacific*, Vol. 4 (2004): 35-46.
- New York Times. "New focus on arms industry expansion in Southeast Asia," <[http://www.nytimes.com/2014/08/13/business/international/new-focus-on-arms-industry-expansion-in-southeast-asia.html?\\_r=0](http://www.nytimes.com/2014/08/13/business/international/new-focus-on-arms-industry-expansion-in-southeast-asia.html?_r=0)>, [accessed on August 15, 2014].
- Puja, I Gusti Agung Wesaka. Keynote speech on the ASEAN Regional Seminar "Toward A More Cohesive and People Oriented ASEAN: 2015 and Beyond" held by ASEAN Studies Center Gadjah Mada University, 30 April 2013.
- Roberts, Christopher. "The ASEAN Community?: Trusting Thy Neighbour," <<https://dr.ntu.edu.sg/bitstream/handle/10220/4283/rsisc110-07.pdf?sequence=2>>, [accessed on August 17, 2014].
- Rosyidin, Mohamad. "Membangun Komunitas yang Kredibel: Komitmen terhadap Institusi sebagai Prasyarat menuju Komunitas Keamanan ASEAN 2015," [Building A Credible Community: Commitment Institution as a Requisite Towards ASEAN Security Community 2015], *Jurnal Universitas Paramadina*, Vol. 10, No. 3 (2013): 878-893.
- Rosyidin, Mohamad. *The Power of Ideas: Konstruktivisme dalam Studi Hubungan Internasional* [The Power of Ideas: Constructivism in International Relations]. Yogyakarta: Tiara Wacana, 2014 (forthcoming).
- SIPRI. "SIPRI Military Expenditure Database, 1988-2013," <[http://www.sipri.org/research/armaments/milex/milex\\_database](http://www.sipri.org/research/armaments/milex/milex_database)>, [accessed on August, 14 2014].
- Smith, Theresa Clair. "Arms Race Instability and War," *Journal of Conflict Resolution*, Vol. 24, No. 2 (June 1980): 253-284.
- Tan, Andrew. "Force Modernization Trends in Southeast Asia," Institute of Defence and Strategic Studies, Singapore, *RSIS Working Papers*, 059/04, Working Papers.
- Tellis, Ashley and Michael Wills (eds.). *Strategic Asia 2005-06: Military Modernization in an Era of Uncertainty*. Washington, DC: The National Bureau of Asian Research, 2005.
- Tempo. "APBN 2014, Kementerian Pertahanan dapat Anggaran Terbesar," [National Budget 2014, Ministry of Defense receives the biggest budget], <<http://www.tempo.co/read/news/2013/08/16/090504901/APBN-2014i-Kementerian-Pertahanan-Dapat-Anggaran-Terbesar>>, [accessed on March, 29 2014].
- The Jakarta Post. "Local weapons ramped up," <<http://www.thejakartapost.com/news/2014/02/20/local-weapons-ramped.html>>, [accessed on August, 14 2014].
- The Jakarta Post. "Low defence budget hampers ability," <<http://www.thejakartapost.com/news/2014/04/03/low-defense-budget-hampers-ability.html>>, [accessed on August, 14 2014].
- The Jakarta Post. "Military modernization no arms race," <<http://www.thejakartapost.com/news/2014/06/02/military-modernization-no-arms-race-defense-minister.html>>, [accessed on August 17, 2014].
- The Jakarta Post. "RI considers ASEAN community solution to security concerns, says SBY," <<http://www.thejakartapost.com/news/2014/05/12/ri->

- [considers-asean-community-solution-security-concerns-says-sby.html](#)>, [accessed on August 10, 2014].
- Want China Times. “The Philippines offer US\$1.5bn to modernize its armed forces,” <<http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20140713000038&cid=1101>>, [accessed on August 11, 2014].
- Want China Times. “Vietnam joins submarine arms race amid South China Sea tensions,” <<http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20140223000089&cid=1101>>, [accessed on August 12, 2014].
- Wendt, Alexander. *Social Theory of International Politics*. Cambridge: Cambridge University Press, 1999.
- Wendt, Alexander. “Collective Identity Formation and the International State,” *American Political Science Review*, Vol. 88, No. 2 (June 1994): 384-396.
- Yusof, Rosli Mohd. *Arms Acquisition: An Impediment to ASEAN Colective Security*. Carlisle Barracks, Pa. : U.S. Army War College, 1996.

**ASEAN CENTRALITY FOR SECURITY IN ASIA**  
**ASEAN: AN INDISPENSABLE INTERLOCUTEUR**  
**FOR SECURITY**

**ARNAUD LEVEAU**

CHULALONGKORN UNIVERSITY



**ASEAN CENTRALITY FOR SECURITY IN ASIA**  
**ASEAN: AN INDISPENSIBLE INTERLOCUTOR FOR**  
**SECURITY**

**Arnaud Leveau**

Research Fellow, ASEAN Studies Center, Chulalongkorn University

**Abstract**

ASEAN's central position in all dialogue Forum in Asia is not the consequence of inherent economical or military strengths. ASEAN remains a central player because there is no alternative. Or the potential alternatives are too risky. Major powers who are competing for influence through proxy states could generate a wider polarization of regional blocs. It could be a disaster for the regional and global stability.

ASEAN is not driven but its leaders but by Foreign Ministers and Trade Ministers. Because of its limited resources, the secretariat has difficulties to ensure effective monitoring between two formal meetings. The association is unable to present a common view on securities issues such as the South China Sea maritime dispute. However despite its inherent weakness the ASEAN remain at the center of the region. Without the association the ADMM and the ADMM+ would not be possible.

Despite its inherent weakness what could be the voice of ASEAN amid the great powers which are challenging themselves for the (re)organization of international relations in the Asia Pacific ? Is ASEAN having a normative soft power? Can ASEAN propose an original way to bind together international norms and international laws?



## **What Kind of Security Institutions in the Region ?**

Besides the main institutional mechanisms for security in Asia (ADMM+, ARF, Six party talks, Shanghai Cooperation Organization) the Shangri-La Dialogue (SLD), launched by the Institute of International Strategic Studies (IISS) in 2002 had succeeded to generate favourable opinion among regional elites despite being organized by an external player. While the ASEAN Regional Forum (ARF) has had difficulty attracting high-level participants the SLD has been able to attract on a consistent basis prominent officials from the US, China, Japan, Russia, France, UK and of course from the ASEAN countries.

The SLD represents a different kind of international grouping. While most regional meetings in Asia are organised by states, typically with ASEAN sitting in the 'driver's seat', the SLD is run by a private body based in London: the International Institute of Strategic Studies (IISS), backed up with the financial support of large multinational corporations, a philanthropic foundation and some governments.

The emergence of the SLD is reflecting a deeper change in attitude towards multilateral defence dialogues in Asia. For years, defence cooperation in ASEAN was undertaken almost exclusively on a bilateral basis. Across the region multilateral defence or military interactions were regarded with suspicion. Now, alongside the SLD, ASEAN Defence Ministers have begun to meet multilaterally on an annual basis (ADMM was launched in 2006).

The composition of participants in the SLD has evolved since its creation. The shift in terms of the prominence afforded to official over non-official participants has subsequently rendered classification of the SLD difficult.

Some analysts, for instance, have referred to this gathering as a Track 1 process as it is attended by defence ministers, permanent heads of ministries and military chiefs of 28 states from the Asia Pacific region as well as defence ministers European members of the Permanent members of the United Nations Security Council. Some others consider it as a Track 2 process, given that the lead organizer is a think tank and there is an explicit effort to encourage involvement by non-officials, mainly academics, in the meeting.

The most appropriate description of the SLD might be a Track 1.5 process. Indeed, Track 1.5 processes are officially sponsored; the participants include a large proportion (typically a majority) of officials, usually in their official capacities. However non-officials from Track 2 (and sometimes even Track 3) processes can also be included; while the activities generally involve exchanges of views, and are usually exploratory rather than conclusive with regard to policy outcomes.

The SLD provides defence bureaucracies around the region with their own network, giving officials and senior officers the opportunity to meet and exchange

views, to commit to formal agreements and informally exchange ideas and information. The presence of senior figures from the United States, Japan, China, Russia, South Korea, UK or France gives other Asian nations the opportunity to schedule bilateral meetings and interact informally with major powers, something that might be more difficult to achieve independently.

The SLD's organizational modalities seem to appeal to a wide range of participants. Unlike most track one regional meetings, where senior officials work to draft a chairman's statement or finalise some sort of 'achievement' before the meeting occurs, the SLD does not seek to produce any kind of agreed communiqué. This low institutionalization is probably one of the most attractive features of this dialogue. Its success is raising questions on the efficiency of ASEAN's supposed diplomatic culture in facilitating cooperation.

### **Recurrent (Dis)Trust in Asia**

Mistrust is a common feature in relations between nations, even between close allies. Between the U.S. and China, mistrust is especially worrisome because it is strategic and deep-rooted. The Chinese suspect that the U.S. is trying to undermine the Communist Party rule and to prevent China's re-emergence as a great power. The U.S. thinks that China wants to dilute U.S. influence in the Asia-Pacific and eventually expel American forces from the region.

The idea that mutual trust is one of the first steps to strategic cooperation is prevalent in the thinking of most policy analysts as well as top leaders in the world. However, there are many examples of strategic cooperation without mutual trust between major powers throughout human history. Mutual distrust has been the norm rather than the exception.

Most of the strategic cooperation between major powers was established without mutual trust. Strategic cooperation between states is usually not based on mutual trust but on the incentives that make cooperation safe and productive for countries involved. This implies that finding similar interests between ASEAN members but also between U.S., Japan and China should be the key to their stable relations in the region. Mutual trust is a result rather than a precondition of long-term strategic cooperation between major powers.

Clarifying political relationships between the key countries in the region would help stabilize the security environment without necessarily developing mutual trust. The countries in the region should get used to the other's unfavorable policy and restrict any retaliation to the level within mutual expectations. Although this would not improve bilateral political relations, it would prevent any worsening of already unfriendly political relations especially between China, Japan and in lesser extent the U.S. A stable unfriendly political

relationship would be healthier than a fluctuating superficial friendship for the main regional powers and would allow China to rise peacefully.

### **Perceptible Tension**

At 2014 ASEAN summit held in Myanmar in May 10-11, the ASEAN ten Foreign ministers issued a joint statement on expressing "serious concerns" and the need for a peaceful resolution to "ongoing developments in the South China Sea. Although the statement failed to refer specifically to China, it was seen as an attempt to deescalate tensions in the region after Beijing had deployed a deep-water oil rig to territory near the Paracel Islands also claimed by Vietnam.

Two weeks later on May 30th 2014 the SLD's opening keynote speech was made by the Japanese Prime Minister Shinzo Abe. Abe speech contained few surprises. He stressed the importance of the rule of law in resolving Asia's disputes. He said that the world is "no longer in an era where it is possible to secure its own peace by itself. He confirmed that Japan would pursue a policy of 'proactive contribution to peace' and play a bigger role in international security issues. He expressed « utmost support » for ASEAN countries ensuring their maritime security.

Abe rarely used the word "China" during its speech but it was very clear that talking about China. He was forthright in his support for the Philippines and Vietnam in their maritime disputes with China. He pledged to donate ten new patrol boats to the former and an undisclosed number to the latter. Abe was also keen to raise the status of the East Asia Summit, calling it the 'premier forum' for regional politics and security.

Chuck Hagel, the US Secretary of Defence, spoke on the second day of defence engagement as a form of soft power projection. He said that 'Rules based order requires strong, collaborative regional security architecture.' He reaffirmed that the US rebalance to Asia is not a goal, promise, or a vision but it is a reality. According to Hagel, one of the America's greatest sources of strength is its network of partners and allies. Chuck Hagel welcomed India's increasingly active role in Asia's regional institutions, which strengthens regional order.

He reminded that the US has worked to strengthen regional architecture such as ASEAN and ADMM+ to develop shared solutions and problems.

He confirmed that 60% of the US Navy and US Air Forces will be in the Asia Pacific by 2020. The US will also increase Foreign Military by 35% and military education and training by 40% by 2016 to Asia.

The French Minister of Defence Jean-Yves Le Drian has drawn conflict management lesson from Mali relevant to the Asia Pacific : determination to act according to the law and dialogue. Le Drian stressed out the need to mobilize

common security structures, including the ASEAN, against the threats to the security of the region. He stressed the importance of freedom of navigation. All parties must explain the legal foundation of their claims and not resort to “threats or use of force”. He mentioned that France is a regional player in Asia due to interoperability of its Army with its main partners. Philip Hammond, the British Minister of Defence, hoped 2015 to be the first year in 100 that UK forces will not be in conflict. He reminded that the FPDA (Five Power Defence Arrangements between the UK, Australia, New Zealand, Malaysia and Singapore) is currently the only multinational military arrangement in the region.

For Anatoly Antonov, Deputy Minister of Defence of Russia, the US rebalance in Asia Pacific will undermine emergence of a regional collective security system. He stressed the importance to put focus on preventing dangerous military activities in “our” countries. He proposed to establish a regional system of direct lines to prevent strategic miscalculation. The most dangerous threat is nexus between Weapons of Mass Destruction (WMD) and terrorism. He explained that the negotiations about the disputed islands (Kuriles) between Russia and Japan are on the top of the Russian agenda. Both countries had spent years to find a solution. Talks between China and Japan are not progressing affirmed that this country is not only in favour of the denuclearization of North Korea but also of the whole peninsula.

The Chinese discomfort toward Japan was particularly clear on the fourth plenary session where Lieutenant General Wang Guangzhong, Deputy Chief of the General Staff Department of the People’s Liberation Army (PLA), charged Japan of violation of the spirit of the Dialogue. He deviated from his prepared paper to affirm that Shinzo Abe and Chuck Hagel had coordinated themselves and took the advantages to talk first. He considered their speeches as “unacceptable” and “provocative”. He also said that Hagel’s speech was “full of hegemony, incitement, threat and intimidation”. During the Q&A session, talking about the 9-dash lines he affirmed that China doesn’t want to get into the jurisprudence.

He also used the traditional Chinese difference between “big” and “small” countries. China is supporting the development of an ASEAN-China community and wants a China-ASEAN defense’s ministers meeting. China is actively engaged in security cooperation through the Shanghai Cooperation Organization (SCO), the Conference on Interaction and Confidence Building Measures in Asia (CICA), ADMM+, ARF and China-ASEAN framework.

For the Indian Admiral Singh the Chinese approach to maritime issues echoes the Roman Empire’s “Mare Nostrum”.

The negative Chinese reactions to Chuck Hagel and Shinzo Abe speeches made visible the growing divergences between the proponents of the “international law” and the proponents of the “international norms”.

## Two Competing Visions

The 2014 SLD had been seen as a larger battleground to promote two competing visions for the Asia-Pacific. One is Xi Jinping new idea for an Asian security framework, first announced at the Conference on Interaction and Confidence Building Measures in Asia (CICA) in May 21<sup>st</sup>-22<sup>nd</sup> 2014. The other one is Abe's vision for Asian security, presented in his keynote speech on May 30<sup>th</sup> 2014. These two visions represent divergent alternatives for the Asia-Pacific region, and both Japan and China hope to sway neighbours to their side.

The two countries disagree on the role Japan should play in the region. Xi's vision of a new Asia security mechanism would function through CICA, where Japan is not a member. Abe, however, envisions an Asian security framework where Japan plays a central role. China's vision focussed on the uniquely and exclusively Asian nature of his security concept. *A contrario* Japan considers that the U.S. must have a role to play in Asian security.

The distinction between "international laws" and "international norms" is subtle but important. Reliance on "law" implies the ultimate use of an international court or arbitrator to decide disputes. China has been consistently against this approach, preferring bilateral negotiations. International "norms" are more nebulous and unenforceable. They can lead to additional tensions due to misunderstanding or blur definitions.

The talks at the 2014 SLD illustrate the current tensions in the region. They emphasized that they are not merely tied up in territorial disputes but on two competing visions of the future regional order. They also raise the question on how the region will adjust to a rising China that wants a leadership role commensurate with its increased economic and military power.

## A Third Way?

South Korea is trying to find a way in-between. The Northeast Asia Peace and Cooperation Initiative (NAPCI) unveiled by the President Park Geun-Hye at the U.S. congress on May 8<sup>th</sup> 2013 proposes to enhance cooperation first on soft security issues such as climate change, terrorism, prevention, cyber and space technologies or nuclear safety before expending a trust building process to more sensitive area. By propose deeper economic integration as a preliminary step towards political integration this initiative could satisfy the Chinese wishes to maintain an Asian focus on all possible multilateral security framework. In another hand by keep the U.S. involved as an external security partner, the South Korean Initiatives can reassure Japan. It is also very clear that this initiative takes its inspiration both from the European integration (Helsinki Agreement, OSCE, and European Union) and from the ASEAN way, experience dealing with the soft issue and leading role in terms of crisis and conflicts prevention.

## **Asean Centrality: A Necessity**

At the 2014 SLD, the moderate voices came from ASEAN members. Thus, the Malaysian Minister of Defence, Hussein Hishammudin, asked for moderation on the South China Sea and cited the need to avoid a type of World War I accidental war in the Region. He called for less inflammatory speeches. For him ASEAN must rise and fall together. He noted an unprecedented trilateral cooperation between Australia, China and Malaysia for the search of the missing MH370 from Malaysia Airlines. He mentioned that Southeast Asia is pursued by colonial powers since the 15<sup>th</sup> century and that Southeast Asian should now stand together for their security. He stressed the need for more military-to-military cooperation. Purnomo Yusgiantoro, the Indonesian Minister of Defence, considered that Asia is big enough for US and China. He encouraged the two countries to cooperate and compete for tourism, education and investments. For him Military modernisation is not destabilising if it's placed into robust security architecture. The Vietnamese Minister of National Defence, General Phung Quang Thanh, affirmed that his country was exploring feasibility to open the Cam Ranh Bay as an international servicing port. He demanded China to remove its oil rig from Vietnam's Economic Exclusive Zone (EEZ) Concerning the South China Sea conflict he said that his country would consider international legal options at last resort. According to him there is still a room for peaceful dialogue. He praised the "friendly relations" with China despite "frictions and differences". He also complimented the new Japanese 'pro active pacifism'.

For Dr Ng Eng Hen, Minister of Defence of Singapore, Asia is different from contemporary Europe as there is no "binding aversion to regional conflict" in Asia. Conversely, he asked if Asia is "in the position of the 19<sup>th</sup> century Europe"? He pointed out the militarisation of many countries in Asia as being without historical precedent". Concerning the tune of the 2014 SLD he believed that it's better to have hard hitting words than "other things that might follow".

Sihesak Phuangketkeow, Thailand's permanent secretary of foreign affairs, stressed that the ASEAN must play a more proactive role and remains a central actor to regional security. "ASEAN can no longer be neutral, when it comes to the major powers but at the same time cannot be seen as taking side".

ASEAN is not driven but its leaders but by Foreign Ministers and Trade Ministers. Because of its limited resources, the secretariat has difficulties to ensure effective monitoring between two formal meetings. The association is unable to present a common view on securities issues such as the South China Sea maritime dispute. However despite its inherent weakness the ASEAN remain at the center of the region. Without the association the ADMM and the ADMM+ would not be possible.

ASEAN's central position is not the consequence of inherent economical or military strengths. ASEAN remains a central player because there is no alternative. Or the potential alternatives are too risky. Major powers who are competing for influence through proxy states would generate a wider polarization of regional blocs. It would be a disaster for the regional and global stability. For this reason ASEAN is and will remain the central player in all discussion related to security issues in Southeast Asia.

## **References**

Institute of International Strategic Studies (IISS), Shangri-La dialogue website:

<https://www.iiss.org/en/events/shangri-s-la-s-dialogue>

Videos of the plenary sessions of the 2014 SLD are available on [www.youtube](http://www.youtube.com) (key words : IISS video channel)

Ball, D., 2012, Reflection on Defence Security in East Asia, RSIS Working Paper n°237, 35 p.

Capie, D. & Taylor, B., 2010, The Shangri-La Dialogue and the Institutionalization of Defence Diplomacy in Asia, *The Pacific Review*, vol. 26, no. 3, 26 p.

Huxley, T & IISS, 2014, *Regional Security Assessments 2014*, 216 p.

LEVEAU Arnaud, *International Law Vs International Norms*, Chula ASEAN, Policy Brief n°4, July 2014

Tiezzi, S., 2014, Shangri-La Dialogue Highlights Regional Tensions, *The Diplomat*.

**TOWARDS AN ASEAN COMMUNITY:  
UPHOLDING HUMAN SECURITY FOR A PEOPLE-  
ORIENTED ASEAN**

**NABEEL KHAWARIZMY MUNA**  
UNIVERSITAS GADJAH MADA





# **TOWARDS AN ASEAN COMMUNITY: UPHOLDING HUMAN SECURITY FOR A PEOPLE-ORIENTED ASEAN**

**Nabeel Khawarizmy Muna**

Department of International Relations, Faculty of Social and Political Science  
Universitas Gadjah Mada

## **Abstract**

This paper will address the growing needs to uphold human security in ASEAN that has entered policy debates and discourses especially with the vision to build an ASEAN Community. In ASEAN, human security is a relatively new concept that is attempted to complement the domination of state-centric security approaches. Although there has been an absence of war in the ASEAN region since its establishment – which indicates a fairly successful maintenance of regional security – various humanitarian issues have continued to plague the region such as terrorism, intercommunal violence, insurgencies and poverty. These issues have raised concerns for ASEAN to focus on becoming a “people-oriented” region for the sake of reaching the goals of the ASEAN Political-Security Community. The main argument is that limited actions has been taken by ASEAN if it were to shift towards a more “people-oriented” regionalism. ASEAN needs to focus equitably both its regional state security and human security. If human security can be upheld, then an ASEAN ‘sense of belonging’ among its population can be achieved sooner. The mainstreaming of human security is an urgency that will strengthen the progress of ASEAN Community. Further on in this paper, analyzes will address the main obstacles hindering the progress of achieving a “people-oriented” ASEAN, such as the non-interference principle, and the possible policies that ASEAN can implement towards its region.

## **Introduction**

The dynamics of global security have changed throughout the years, which brought discussions and focuses surrounding security to various levels. Traditional state security, which has been the main focus of all states in the past, has gradually given way to the non-traditional human security. States such as Japan and Canada has consistently promoted the idea of human security,<sup>20</sup> while many other states are still struggling to do so. One region which has begun to redefine its security agenda is Southeast Asia, but they are still lacking behind due to the political obstacles it has to face. The core of the problem is not whether the region is ready to uphold human security, but whether Southeast Asia's regional association – ASEAN – has taken enough measures to do so. The urgency to promote human security stands at a high level in this modern era and because of that, this essay will address how ASEAN with its vision of a people-oriented Political and Security Community (APSC) has attempted to mainstream human security in its discourses.

For this essay, the writer has taken library and desktop research methods, using various literatures such as academic journals and books to complement the arguments and verify the facts which will be presented. In further sections, this essay will examine the ASEAN Charter – a pivotal set of rules and agreements that guides the Southeast Asian member states in its regional policy-making. Few would expect that the ASEAN Charter's contents and non-interference principle would contradict ASEAN's own efforts towards a "people-oriented" region in the sake of upholding human security. This essay has a hypothesis that ASEAN's efforts to become a more "people-oriented" region has been limited and that by upholding human security, ASEAN will be on course for that desired orientedness.

To address the hypothesis, this essay will first illustrate how the human security concept has evolved in international policy discourses. It will then be followed by ASEAN's approach on the human security agenda and its relevance to the people-oriented desire of ASEAN. Moreover, the paper will also address related factors that has hampered ASEAN to take definitive measures in upholding human security, such as the diversity of freedom levels in each member state. At a later stage, the paper will provide several possible policy recommendations intended to counter the aforementioned challenges in upholding human security.

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<sup>20</sup> UNESCO, *Human Security – Approaches and Challenges*, UNESCO Publishing, Paris, 2008, p. 81

## **The Birth of the ‘Human Security’ Concept**

Human security has found its way into the contemporary international political discourses since the late twentieth century. At that time, the world had become a platform for the Cold War between the two great powers – the United States of America and the Soviet Union. Although no actual military conflict broke out between the US or the Soviet, there were many conflicts that emerged as a consequence of the influence from the super power competition. It came to a point where civil wars broke out in many parts of the world. Whether because of the Cold War or because of the political and ideological influence that these two powers had on that region, the war altered some particular states. For instance, the policies of some states had to be modified to focus thoroughly on the security of the state, and this was done to avoid being in the way of the Cold War’s path. When the state does so, national expenditures turns in favor towards the state security along with military budgets and shifts away from the people. This in turn left the population, especially minorities, short of attention and badly managed by the government where the security and welfare of its population cannot be guaranteed.

When the Cold War receded, relations between the majority of states that were involved in the war gradually improved. It was highly expected by the international community that the internal conditions of the troubled states would improve and peaceful development would upmerge. Unfortunately, it was not the case. The struggle for national identity and self-determination were strong and vibrant among the developing states, seeking for independence in the Cold War and post-Cold War era. The frequent occurrence of internal struggles during the War brought a new understanding towards the phenomenon of war. Large-scale conventional inter-state conflicts began to be replaced by unconventional low-intensity intra-state conflicts. Such a notion was proven by how frequent intra-state conflicts occurred and continued long after the Fall of Communism. During 1990 to 2002, compared to the inter-state conflicts, fifty-five out of fifty-eight major armed conflicts around the world at that time were intra-state conflicts and consisted mainly of civil or communal conflicts that were fought in a sovereign state.

These figures of conflict above brought about fresh concerns regarding the internal conditions of the states involved. Numerous humanitarian crises and violence caused by several factors that took place mostly in developing states were the cause of these concerns. It was especially because of the severe conditions that the Cold War has left upon these states that state and non-state actors began to look at security through a different lens. From then on, a relatively new concept that shifted away from the state-centric approach of security was born: the human security concept. This concept, however, was not exactly ‘brand new’ and was not created to only counter the after-effects of the Cold War had. Rather, human

security has been mentioned in past concepts of comprehensive security through non-military aspects, but not explicitly.

There has been a considerable amount of debate in previous decades surrounding the actual meaning of human security. No official definition has been approved until human security made its 'formal debut' through the publication of the United Nations Development Programme's Human Development Report in 1994. In general, the concept of human security focuses on protecting and ensuring the security of individuals in a state, therefore making it a people-oriented approach to security. The concept of security goes beyond the original boundaries, in which the traditional defense and military agendas broaden to include the security of individuals and communities. This shift means the enlarging as well as deepening concept of security, in which, human beings receive more attention in defining security. In other words, it is no longer adequate that such a state fulfills its own government's security while its people are being threatened by the state through repressive manners. We could see from an example that even authoritarian regimes are no longer able to claim its absolute sovereignty without giving more protection and freedom to the people. Thus, the concept of human security currently has emerged as an essential element for every nations in the world.

Another source of elaboration defines human security as the absence of insecurity and threats such as freedom from fear (of physical, sexual, or psychological abuse, violence, persecution, or death) and freedom from want (of gainful employment, food, and health). It could be seen from these freedoms that 'freedom from fear' consists of direct violences whilst 'freedom from want' consists of structural violences. The state plays a major role in guaranteeing the second type of freedom, because structural violences like the few mentioned above are caused primarily by the government, for example when a state implies a new policy which handicaps its population indirectly. But this does not mean that the state have no responsibility in guaranteeing the first freedom too because each stable government have the power to prevent those direct violences. The urge to uphold human security along with its subdivisions in this era is proven by the fact that the majority of people nowadays are more insecure from worries in their daily lives than the possibility of an inter-state war. A state which claims to be secure does not automatically mean that its population are well protected. Therefore, the protection of individuals and communities must also compliment the protection of the government and sovereignty of a state.

From the wide range of definitions by the political elites, the concept of human security have to be divided into two; the 'narrow' and 'broad' concept. The narrow concept focuses on the protection of communities and individuals from internal violence, whereas the broader concept includes hunger, disease, and natural disasters as threats to be included in the human security agenda. This

broader side argues that far more people are killed because of these threats rather than because of internal violence. In this manner, UNDP's Human Development Report also began to adopt this broader concept into their human security definition, which are economic security, food security, health security, environmental security, personal security, community security, and political security. In this essay, the writer will refer to human security in a general manner, not entirely specific to any school of freedoms or divisions as noted above.

However, such a concept became a major challenge, especially in developing states or regions – such as Southeast Asia – when upholding human security may be seen as an indirect act of intervention as well as the reduction of sovereignty. This has been perceived as part of Western values – a value that developing states could not follow yet with its current conditions. Even though, this challenge did not necessarily mean that these developing states are reluctant to implement this new concept, due to the undeniable urge in the globalization era to uphold human security. Thus this leaves us with two concepts of security that most states recognize today: state security – where its primary concerns revolves on the government and its military; and human security – a people-oriented agenda and a form of the state's role and responsibility towards its people.

Following the above contemporary debates, it shows that the development of human security concept has emerged into a global norm. The UN and international community has embraced the concept and mainstreamed it through many aspects such as development, human rights, democracy promotion and so on. In Southeast Asia, especially within ASEAN, issues of human security are also resonated and has been discussed especially within the framework of the UN approach of development. There is a relevancy to discuss human security through evaluating its significance to the development of ASEAN and its trajectory towards the building of an ASEAN Community.

### **ASEAN's Encounter with Human Security**

Southeast Asia has been a region with a diverse background, particularly due to the events that have unravelled within the region during the past century. The multiple colonizations that took place in Southeast Asia have influenced not only the states involved but the region as a whole, even though today they have all survived and gained independence. The processes of decolonization while on one hand restored peace and democracy for several, it has also on the other hand led to numerous humanitarian crises and violence. These negative incidents have plagued the region for decades and have lagged Southeast Asia's development behind other prosperous regions in the world. The creation of ASEAN in 1967 was designed to combat these issues and promote sustainable development in the area, as mentioned in Article 1 of the ASEAN Charter.

However, even the creation of a regional organization with a shared commitment and collective responsibility in “enhancing regional peace, security and stability” could not protect its people from the brutal regimes that soon emerged. While the region has succeeded in preventing the outbreak of an inter-state war in the area since ASEAN’s establishment – which showed the achievement of upholding state security by each member state – ASEAN was home to some of the worst violence of the twentieth century. Millions of lives during the time period of 1975-2003 was lost, and the majority of it all were caused by internal actors of the state. The Khmer Rouge regime in Cambodia (1.7 million lives), Anti-Communist riots in the Soekarno-Suharto era (400,000 lives), and Myanmar ethnic separatism with countless low-scale casualties and conflicts (600,000 internally-displaced) were just to name a few. These figures have shown the damages that intra-state conflicts could inflict towards its people and how important the population needs to be considered in modern security discourses.

The reason why intra-state conflicts strived in the region at that time is that human security was not placed as ASEAN’s main agenda, unlike state security. Therefore, Southeast Asia was very much vulnerable to human insecurity. The member states of ASEAN have just gained independence during those years and to sustain their independence and sovereignty was the region’s main prioritization. The idea of security for individuals barely passed the minds of policy-makers and thus, security in ASEAN was still very much state-centric. It is important to know that at that time Southeast Asia was still home to a large number of disputes, therefore the member states were still very cautious towards interference from other states. It was not thinkable to balance their security prioritization and expenditures between the state and their people because the member states believed that the intended policy will leave their government vulnerable to external threats.

However, there were several positive signs of improvements towards human security which happened over the course of several decades. This was when the leaders of ASEAN began to realize the growing need to improve the conditions of its people after the many catastrophic events that have shaped ASEAN and, most importantly, prohibited the development of the region. Events such as the 1997 Asian financial crisis, the 2002 severe acute respiratory syndrome (SARS) outbreak, the 2004 tsunami, and various terrorist bombings in the region have showed just how unpleasant human insecurity can be. It has shown that the traditional way of dealing with these crises is no longer adequate, because these crises have human security dimensions that need to be analyzed.

One of these major improvements towards the human security of ASEAN could be found when the leaders of ASEAN desired to turn ASEAN into a people-oriented region. It was mainstreamed along with the establishment of the ASEAN

Charter. Under Article 1 clause 13, the Charter states the purpose of ASEAN as quoted:

“To promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building;”

This therefore signifies the willingness of the ASEAN member states to shift ASEAN away from the state-centric belief that is perceived by its population as being “an association for the elite”. Particularly, the ASEAN Charter has opened the door for ASEAN to become a people-oriented region, even only for a limited amount. Within that specific purpose, the writer believes that the most effective and definite way to fulfill that purpose is through shifting the domestic security agendas away from the traditional ones, especially by approaching the human security concept.

### **Challenges to the Implementation of Human Security and People-Orientedness for ASEAN**

In upholding human security for a people-oriented ASEAN, there are plenty of factors to be found in its progresses and obstacles. The progress that the region have seen are that various ASEAN leaders have expressed the need for ASEAN to create joint collaborations and frameworks that will manage the new non-traditional threats both in a focused manner. But the efforts towards upholding human security for the sake of a people-oriented ASEAN have progressed at a slow rate, mainly because of the non-interference principle that the ASEAN members have pledged upon in order to ensure their own nation-building agenda. However, there has been several speeches by the Heads of State of ASEAN that seek to mainstream human security towards a people-oriented region. But these speeches often turned out to just being ‘speech acts’, in that no definite measures was taken after that.<sup>21</sup> It was a shame that these intentions were not highlighted and followed upon with concentrated efforts for its realization.

Several possible reasons are behind the slow rate of progress in upholding human security, but the main one that needs to be understood is the still state-centric security approach of ASEAN as a region, similar to the single obstacle that ASEAN had been facing since its inception. It was particularly because of this state-centric security stance that focusing on human security – which means to shift parts of the national security expenditures from the state to the people – were still too enhanced for policy-making between the majority of ASEAN states,

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<sup>21</sup> A. Gertsl, *Depoliticization and “ASEANization” of Human Security in Southeast Asia: ASEAN’s Counter-Terrorism and Climate Change Policies*, Working Paper for the 7<sup>th</sup> Pan European International Relations Conference, Stockholm, 2010, p. 2.



even in this globalized era. The Southeast Asian elites' concerns are still limited to their own government's security, different to that of their cooperative trade efforts where economic cooperation was easier to be implemented and can be quickly achieved for the benefit of the state and region. But to cooperate in the field of security – especially in the Southeast Asia region – was still very sensitive in that various variables and considerations must be under taken so that all states could adhere to the regulations. As we know, the states of ASEAN are diverse in its internal conditions such as in the political, health, and environmental aspects, which make cooperation in the security pillar slow to start with – much different to that of the European Union, the single regionalism that has a comprehensive and well-managed cooperation on all three pillars. Taking into account the state-centric security approach of ASEAN states and the sensitivity of the security matter, this leaves upholding human security as a less prioritized agenda between them, with a few hints of progress towards upholding human security here and there but not significantly.

The political systems of a region's member states have a significant role in deciding the progress of its regional security. In ASEAN, the vast differences of national political systems remain one of the main factors for the slow rate of progress in upholding human security. There are states with full democracy (Indonesia, Philippines), semi-democracy (Malaysia, Singapore), emerging democracy (Myanmar), socialism/communism (Vietnam, Laos), coup d'etat traditions (Thailand), and monarchial systems (Brunei Darussalam, Cambodia). These political diversity is undoubtedly the reason for the difficulty of creating a consensus within the member states. But regarding the human security efforts in the region, it was truly the level of the states' freedoms that impacted those efforts most. The following statistics will reveal those freedom levels in Southeast Asia:

YEAR	1980			1990			2000			2011		
Country	Freedom status	PR	CL	Freedom status	PR	CL	Freedom status	PR	CL	Freedom status	PR	CL
Singapore	Partly free	5	5	Partly free	4	4	Partly free	5	5	Partly free	4	4
Brunei	–	–	–	Not free	6	5	Not free	7	5	Not free	6	5
Malaysia	Partly free	3	4	Partly free	5	4	Partly free	5	5	Partly free	4	4
Thailand	Partly free	3	4	Free	2	3	Free	2	3	Partly free	4	4
Indonesia*	Partly free	5	5	Partly free	6	5	Partly free	3	4	Free	2	3
Vietnam	Not free	7	7	Not free	7	7	Not free	7	6	Not free	7	5
Philippines*	Partly free	5	5	Partly free	3	3	Free	2	3	Partly free	3	3
Laos	Not free	7	7	Not free	6	7	Not free	7	6	Not free	7	6
Cambodia	Not free	7	7	Not free	7	7	Not free	6	6	Not free	6	5
Myanmar	Not free	7	6	Not free	7	7	Not free	7	7	Not free	7	6

[PR: Political rights; CL: Civil liberties]

Source: Freedom House (through Penang Monthly) <sup>22</sup>

<sup>22</sup> Penang Monthly, *Statistics – 2012*, 31<sup>st</sup> July 2012, <<http://penangmonthly.com/statistics-july-2012/>>, accessed at 7<sup>th</sup> September 2014.

On a scale of 1 being the most liberal and 7 being the least, this statistic has shown the disparity of freedom in the ASEAN member states. Although several decades back almost all of the member states' freedom levels were low, in this era we can see that some states (Indonesia and Philippines) have improved their freedom level whilst others have worsened (Malaysia and Thailand). There are also those states where their political rights and civil liberties remain unchanged (Viet Nam and Myanmar). But the concentration lies on the wide range of freedom levels in this era. The different levels of freedom are caused by the internal conditions of each state and its political system. When we talk about regional decision-making in ASEAN, it cannot be separated from the consensus method to ensure every states' willingness in the decision being taken. Because of the variant levels of freedom in ASEAN, consensus towards a proposed plan regarding their humanities will be difficult and hard to come by. This is due to the fact that its member states already have its unique political system and internal policies that they must uphold. The human security issue, once again, is a sensitive one and not all states are willing to sacrifice part or all of their interests for a common cause. Therefore, the mainstreaming of the human security agenda has plenty of obstacles to come by in advance if it were to upheld successfully.

Another factor which prohibits ASEAN to take definitive measures towards upholding human security can be found, ironically, in the ASEAN Charter itself. The ASEAN Charter does not clarify the security concept throughly enough. The term 'human security' and 'non-traditional security' are not mentioned in any parts of the text, let alone to the extent of being defined.<sup>23</sup> Instead, it focuses on the already well-mainstreamed principles of ASEAN: sovereignty and non-interference. By doing so, the ASEAN Charter has limited the room for the human security agenda to grow in the region. It cannot be denied that the member states will not be on the same perspective regarding human security, due to the lack of clear definition in the ASEAN Charter. If the human security concept is mentioned and defined in the Charter, then it would have a higher chance of being mainstreamed by the member states. The urgency to uphold human security would have been even more evident if only the Charter was able to define the concept.

ASEAN's attempts to promote human security have not only been hindered by its failure to include and define human security in its Charter. The failure to properly address civil society organizations (CSOs) – as one of the important actors of human security initiation efforts – could also contribute towards its slow progress. While the Charter indeed mentions 'civil society' in Article 15 clause 1,

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<sup>23</sup> A. Gertsl, *Depoliticization and "ASEANization" of Human Security in Southeast Asia: ASEAN's Counter-Terrorism and Climate Change Policies*, Working Paper for the 7<sup>th</sup> Pan European International Relations Conference, Stockholm, 2010, p. 7.

it only appears once. In that very brief mention, CSOs were obligated to act in collaboration with the ASEAN Foundation – an organization under the main ASEAN body that aims to promote ASEAN awareness and identity. This puts CSOs ability to be involved the decision-making process of ASEAN at a very limited level because they had to adhere to the ASEAN Foundation’s regulations. Such a position has impacted the CSOs participation level because the ASEAN Foundation is known to be influenced by the ASEAN elites,<sup>24</sup> and the elite’s perspectives on security most oftenly contradicts with the human security intentions of the CSOs. It can be concluded regarding CSOs participation as limited to such a point that the Charter left no space for them to have any input in ASEAN’s decision-making processes, thus creating a sense of state-centricism within the ASEAN Charter.

However, efforts to include CSOs in ASEAN’s discourses, regardless of the ASEAN Charter, should also be noticed. Its manifestation was evident in the 2006 Guidelines on Accreditation of Civil Society Organizations, where ASEAN explains in detail the long list of terms and conditions, obligation, privileges, and etc. for CSOs to affiliate with ASEAN. This accreditation may seem as a breakthrough for CSOs in that they are given a bigger opportunity to engage in regional decision-making, but it is not all beneficial for CSOs. This accreditation grants ASEAN to dictate the objectives that the CSOs must pursue, therefore creating an ‘elite-directed’ nature again, similar to the one of the ASEAN Charter. The top-down process of this engagement is concerning and has led to accusations of the ASEAN-CSOs engagements becoming bureaucratized and directed by the state elite.<sup>25</sup>

In this sense, question marks remains as to how ASEAN with the aforementioned absence of the human security term in its Charter and the limitations of CSOs involvement could successfully progress them towards its people-oriented objectives. These flaws have clearly hindered ASEAN’s progress in upholding human security, and if left unaltered will certainly prevent the potentials of a people-oriented ASEAN from coming to a realization. With due respect to ASEAN, the writer’s arguments were not intended to criticize and attack its Charter and sub-bodies, but rather to prove how state-centric ASEAN still is. It can be concluded from these obstacles that there are still many work to be done if ASEAN were to progress towards a much more people-oriented regionalism, particularly by upholding human security as its main agenda.

### **Addressing the Urgency to Uphold Human Security in Southeast Asia through Policy Recommendations**

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<sup>24</sup> A. Collins, *A People-Oriented ASEAN*, Contemporary Southeast Asia, Vol. 30, No. 2, 2008, p. 326.

<sup>25</sup> *Ibid*, p. 316.

From the previous sections of this essay, it can be acknowledged that the human security concept and the people-oriented agenda have a positive linkage between them; in that to achieve the latter would be best if we promote the former beforehand. The attention and promotion towards human security in Southeast Asia is a necessary step that needs to be taken by the ASEAN leaders in order to materialize a people-oriented ASEAN. Even with all the challenges and obstacles that it has to face, ASEAN could not turn its back on the significance of human security in the region.

One way of looking at this urgency can be visualized by examining the following statistics:

<b>Country</b>	<b>ASEAN</b>	<b>US</b>	<b>China</b>	<b>India</b>	<b>Japan</b>	<b>EU</b>
<b>Population</b>	621.15 Mil.	313.85 Mil.	1,343.2 Mil.	1,205 Mil.	127.36 Mil.	503.8 Mil.
<b>Pop. Growth</b>	1.4%	0.899%	0.481%	1.312%	(0.077%)	0.212%
<b>GDP (PPP)</b>	3.33 Tril.	15.04 Tril.	11.29 Tril.	4.46 Tril.	4.389 Tril.	15.39 Tril.
<b>GDP per Capita</b>	5,361	48,100	8,400	3,700	34,300	34,000
<b>Budget Rev.</b>	376.25 Bil.	2.30 Tr.	1.64 Tr.	196.4 Bil.	1.97 Tr.	7519 Tr.
<b>Poverty %</b>	17.8%	15.1%	13.4%	25%	16%	n/a

*\*statistics as of 2011*

*Source: various datas<sup>26</sup>*

In the above statistics, ASEAN is compared to five other great economies, particularly in the social and economic indicators. ASEAN's population growth is the highest among them, only ahead of India by a small percentage. But the concern towards this growth is that it is not complemented with an adequate level of gross domestic product (GDP), proven by ASEAN being the lowest of them all in that indicator. ASEAN's GDP per Capita is low and its poverty rate is high compared with the other economies, both disadvantaging ASEAN. The region's high population growth and poverty, combined with its low GDP and GDP per Capita will create problems for the ASEAN leaders in future policy-making. The reason towards this is that ASEAN leaders will encounter difficulties in ensuring the welfare of its people – due to ASEAN's increasing population and poverty rate, along with the relatively low GDP it has to deal with.

Looking at these statistics, the urgency to uphold human security can be evidently seen. If human security could overall be upheld, then automatically the above statistics would improve because human security touches economic

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<sup>26</sup> M. Hunter, Australian National University – New Mandala, *ASEAN's Missed Opportunities*, 2<sup>nd</sup> October 2012, <<http://asiapacific.anu.edu.au/newmandala/2012/10/02/aseans-missed-opportunities/>>, accessed at 7<sup>th</sup> September 2014.

aspects too. In this sense, improving the welfare of the population would certainly lead towards a people-oriented region in a higher extent. Moreover, the possibilities of a conflict breaking out in the region become higher with the rise of the number of population. It is a logical sense that the larger a population is, the disparity in income and welfare among them will rise. This disparity has the potential to create conflicts among the people and increase the number of those unemployed. Thus, with the growing rate of population in Southeast Asia, the ASEAN leaders must ensure gainful employment for its people – which is one of human security’s fundamental aims.

In addressing these urgencies, the writer will deliver several policy recommendations that aim to respond towards the above difficulties of mainstreaming human security in ASEAN. The first would be to handle the involvement of CSOs in a more warm-welcoming manner. As of now, CSOs involvements in ASEAN’s decision-making processes are not entirely open but tightly restricted, and this has become a concern because the Charter states that *“all sectors of society are encouraged to participate”*. The current condition does not reflect the Charter, therefore the CSOs obligations and the Accreditation Guidelines they are binded to must be altered. The reason for that is because CSOs – regardless of NGOs, academicians, individuals, etc. – have the ability to reach out towards the community in general, including minorities. CSOs’ populist approaches towards the people can link the peoples’ unrecognized needs towards the policy-makers of the state through advocacy. While ‘altering’ the Charter may seem unlikely, ASEAN must find a method to further account CSOs in its discourses and provide them with a higher level of leeway.

Moreover, it is crucial for ASEAN to recognize the limitations that the non-interference principle have towards its regional development. While the principle protects the ASEAN’s member states from external interference, its existence hinders the security of its people because the state have the utmost control to imply any policies towards its people, with respect towards the numerous international laws that it has ratified. Erasing this principle will prove to neither be beneficial nor helpful for the states. But there is a growing urgency to manage humanitarian issues in a different way. Therefore, the second recommendation would be for the ASEAN states to accept and embrace humanitarian assistance, especially in situations with undeniable necessity. The reason towards this is because humanitarian issues will certainly deprive the people of their human security, proven by ASEAN’s previous encounters with brutal regimes in the region. Thus, this calls for a greater response not only from the state internally but also assistance from other ASEAN states as well. There needs to be an agreement amongst them that humanitarian assistance is not a form of interference towards a state, but rather, a form of responsibility for regional cooperation – as mentioned in the ASEAN Charter and the ASEAN Political-Security Community Blueprint. With coordination through the ASEAN

Humanitarian Assistance Centre (AHA Centre), the states should embrace an even more open stance towards humanitarian assistances. It is fair to say that to actively participate in humanitarian assistance will be beneficial and rewarding for all member states of ASEAN, both for the provider or the receiver.

## **Conclusion**

The concept of security has been redefined to shift away from the state-centric approaches of security towards ensuring the security of the people: human security. After the Cold War, this concept and its definition has been widely accepted, thus transforming itself into a global norm. ASEAN itself has had its encounters with human security, from the initial realizations to become a people-oriented region due to the numerous humanitarian crises it had to face, until today's modern era where the association has given numerous efforts in upholding human security. There are plenty of challenges to be found in implementing human security in the region, such as the sensitive state-centric security approach of the member states and the diverse political freedom and civil liberties of its people to name a few. Thus, plenty of improvements can be done if ASEAN was to label itself as a "people-oriented region" in the near future through several policy recommendations delivered in the previous section.

Through the above analyses, it is proven that ASEAN's efforts towards upholding human security for a people-oriented region have been limited. Nevertheless, the urgency to uphold human security lies at a very high level in this modern era for any state or region of the world. Mainstreaming human security logically corresponds with ASEAN's desire to become a people-oriented region, as human security has the power to empower the welfare and liberty conditions of the people. ASEAN will have to recognize the crucial role of its people as the sovereign subject in development and promoting human security. Significantly, ASEAN leaders must also listen to the voice of its people and their aspirations. In this sense, ASEAN must embrace the human security concept for the benefit of the member states' government and people. Besides, what other conceptual tool would be more promising in order to achieve a people-oriented ASEAN other than through upholding 'human security'?

## **BIBLIOGRAPHY**

### **Published Literatures**

ASEAN, *ASEAN Charter*, ASEAN Secretariat, Jakarta, 2008.

ASEAN & UNESCO, *ASEAN-UNESCO Concept Workshop of Human Security in South-East Asia*, Jakarta, 2007.

- Caballero-Anthony, M., *Revisioning Human Security in Southeast Asia*, Asian Perspective, Vol. 28, No. 3, The Changing Face of Chinese Politics and International Relations, 2004, pp. 155-189.
- Collins, A., *A People-Oriented ASEAN*, Contemporary Southeast Asia, Vol. 30, No. 2, 2008, pp. 313-331.
- Gertsl, A., *Depoliticization and “ASEANization” of Human Security in Southeast Asia: ASEAN’s Counter-Terrorism and Climate Change Policies*, Working Paper for the 7<sup>th</sup> Pan European International Relations Conference, Stockholm, 2010.
- Human Security Centre, *Human Security Report 2005: War and Peace in the 21st Century*, Oxford University Press, New York, 2005.
- Ramcharan, R., *ASEAN and Non-interference: A Principle Maintained*, Contemporary Southeast Asia, Vol. 22, No. 1, 2000, pp. 60-88.
- Tadjbakhsh, S., & Chenoy, A. M., *Human Security: Concepts and Implications*, Routledge, Abingdon, 2007.
- UNDP, *Human Development Report: New Dimensions of Human Security*, Oxford University Press, New York, 1994.
- UNESCO, *Human Security – Approaches and Challenges*, UNESCO Publishing, Paris, 2008.

### **Online Articles**

- Hunter, M., Australian National University – New Mandala, *ASEAN’s Missed Opportunities*, 2<sup>nd</sup> October 2012, <<http://asiapacific.anu.edu.au/newmandala/2012/10/02/aseans-missed-opportunities/>>, accessed at 7<sup>th</sup> September 2014.
- Penang Monthly, *Statistics – 2012*, 31<sup>st</sup> July 2012, <<http://penangmonthly.com/statistics-july-2012/>>, accessed at 7<sup>th</sup> September 2014.







# **ASEAN'S TRACK-TWO DIPLOMACY: MANAGING POTENTIAL CONFLICTS IN THE SOUTH CHINA SEA**

**LUDIRO MADU**

UNIVERSITAS PEMBANGUNAN 'VETERAN' YOGYAKARTA



# ASEAN'S TRACK-TWO DIPLOMACY:MANAGING POTENTIAL CONFLICTS IN THE SOUTH CHINA SEA

Ludiro Madu<sup>27</sup>

## Abstract

Recent analysis on the South China Sea dispute has rarely shows the role of track-two diplomacy in managing potential conflicts in the area. Most, however, has been dominated by various state or government-led cooperative efforts for building a more stable and secure region. The on-going incidents among claimants actually indicated that the continuing state-initiated or track-one diplomacy have been unable to find sustainable peace among claimants ---such as China, Vietnam, the Philippines, Brunei, and Malaysia--- of the conflicted area. While state or government kept promoting their peaceful negotiations, track-two diplomacy, at the same time, should be taken into account. This paper seeks to scrutinize to what extent track-two diplomacy could contribute to build sustainable peace in the disputed area by establishing various initiatives of cooperation. In doing so, ASEAN's track-two diplomacy could contribute several best lessons in involving think tanks, non-government organizations, and other non-official institutions for promoting regional peace, security, and cooperation in ASEAN. Considering that the four claimants of the South China Sea are members of ASEAN, this paper suggests that the ASEAN's track two diplomacy could become a model for similar diplomacy in managing the disputed South China Sea. This model could empower the existing informal meeting on managing potential conflicts in the South China Sea. Reviewing its annual meetings, this paper also analyzes achievements and problems which the informal meetings should cope with. Finally, this paper concludes the necessity of increasing role of government in empowering track-two diplomacy and the way the government imposes recommendations of the track-two diplomacy in various negotiations in government level.

**Keywords:** *track-two diplomacy, ASEAN, South China Sea, non-state actors, conflict, cooperation.*

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<sup>27</sup>Ludiro Madu is a Lecturer at the Department of International Relations, Universitas Pembangunan Nasional "Veteran" Yogyakarta, Indonesia; his study specialization is ASEAN, Indonesia's Foreign Policy, and International Relations in Southeast Asia. His email address: [ludiro@gmail.com](mailto:ludiro@gmail.com).

## **Background**

Recent analysis on the South China Sea dispute has rarely shows the role of track-two diplomacy in managing potential conflicts in the area. Most has been dominated by potential conflicts and cooperative efforts which states could do for building a more stable and secure region. In practice, track two diplomacy has developed among think tanks and other non-official institutions for promoting peace and security in Southeast Asia region since 1980s.<sup>28</sup> ASEAN Institute of Strategic and International Studies (ASEAN-ISIS) in Southeast Asia and the Council for Security Cooperation in Asia Pacific (CSCAP) in Asia Pacific has long promoted its importance for facilitating cooperation on various problematic issues in the respective regions.<sup>29</sup>

The dynamics of South China Sea has also experienced the role and influence of this track two diplomacy in its efforts for mediating potential conflicts and finding cooperative initiatives. The fact shows that Southeast Asia usually considered a region where traditional norms of state sovereignty remain strong. Among these track two diplomatic initiatives on South China Sea, how would this second track diplomacy contribute to the eliminating conflict and the cooperation in the area?

## **ASEAN and South China Sea Disputes**

ASEAN ----a multilateral organization in Southeast Asia--- has become involved, primarily through its efforts to promote the peaceful development of the South China Sea (SCS) resources while sovereignty claims are sidelined. Within ASEAN, the features claimed by Malaysia, the Philippines, Brunei, and Vietnam. Other ASEAN countries take varying positions on the SCS dispute: Laos, Cambodia, and Myanmar lean toward China; Malaysia and Indonesia are cautious about the US involvement; Thailand and Singapore are neutral; while both Vietnam and the Philippines welcome an American role.

The SCS has long been the primary source of politico-economic-military disputes among several of the region's state (Malaysia, the Philippines, Brunei, and Vietnam) as well as China and Taiwan. Other countries also have vested interest in the freedom of navigation and potential exploration-exploitation of the seabed's petroleum and natural gas. All of them have an interest in regional peace and stability with respect to the SCS. The SCS is semi-enclosed and bounded by China in the north, the Philippines in the east, Vietnam on the west, East Malaysia

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<sup>28</sup> David Capie, "When does track two matter? Structure, agency and Asian regionalism", Review of

International Political Economy, 17: 2, 2010, pp. 291-318.

<sup>29</sup>Melly Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, Institute for Southeast Asian Studies, Singapore, 2005.

and Brunei in the southeast, and Indonesia and Malaysia in the southwest. One-third of the world trade and half of its oil and gas pass through its water, hence its importance of freedom of navigation. The SCS is also rich in marine life, a staple for Asian diets and a major source of employment for millions of inhabitants in coastal communities.

The sea is governed by international law, particularly the 1982 United Nations on the Law of the Sea (UNCLOS), to which China, Japan, South Korea and all 10 ASEAN member states have adhered. Geographic features within the SCS are subject to competing claims of sovereignty and the most contentious being the Spratly Island in the center. All claimants occupy some portion of the Spratly. Vietnam claims sovereignty over all the Spratly islands, while China and Taiwan claim sovereignty over all the territorial features in the SCS. There has been no judicial test of these claims, meaning that they are yet to be resolved through negotiation, arbitration, adjudication --- or even the use of force.

With so many overlapping maritime zones, several Southeast Asian regional forums have undoubtedly addressed these issues, including ASEAN itself as well as ASEAN Regional Forum (ARF), the ASEAN Defense Ministers Meeting Plus (ADMM+), and the East Asia Summit (EAS). ASEAN has played a diplomatic role in efforts to resolve the row in the SCS. The Association was instrumental in negotiating the 1992 ASEAN Declaration on the SCS among the claimants, and subsequently backed the creation of a China-Philippine, Vietnam Joint marine Seismic Undertaking (JMSU) for exploring seabed resource potential in some of the overlapping areas they claimed. The JMSU lapsed in 2008, and no results have been made public.

Although in some occasions, China has refused any internationalization of the SCS issue, it has essentially been involved in some multilateral cooperation/diplomacy, such as the signing of the 2002 Declaration of the Conduct (DoC) and conducting the JMSU. China has shown to take a more open-minded approach in dealing with the disputes. It has been willing to help establish a regional “security mechanism”, while highlighting a few areas for cooperation, including dealing with security issues. Additionally, China has officially conveyed its commitment to pursue a peaceful approach with all the claimants and will not hinder the freedom of navigation in the SCS (this is major concern for the US and other parties).

The DOC which was signed by all ASEAN nations and China in 2002 has become the foundation for encouraging claimants to exercise self-restraint so as to reduce the tensions. It also encourages claimants to build mutual trust and confidence among themselves and to conduct maritime cooperative activities. ASEAN’s second track via ASEAN ISIS or CSCAP could take leading role in encouraging initiative for cooperative activities which is not sensitive to national sovereignty of the claimants, such as joint exploration.

The deadlock at the 2012 ASEAN Foreign Minister Meeting shows the incapability between ASEAN nations to take a single position before having a meeting with China on the SCS. The incident also asserted the on-going dominant power of China towards Cambodia in steering their bilateral relations at the expense of ASEAN's one voice. This case and also other provocative incidents have actually given way to ASEAN's second track diplomacy to take important role for alternative means towards various ASEAN meetings.

### **Minimal Role of Track-Two Diplomacy**

The term "Track-Two Diplomacy" was coined in 1981 by Joseph Montville, an American Foreign Service Officer. He (1991) defined Track-Two Diplomacy as: "unofficial, informal interaction between members of adversarial groups or nations with the goals of developing strategies, influencing public opinion, and organizing human and material resources in ways that might help resolve the conflict." Montville categorized official diplomacy as "Track One", while various unofficial attempts which are aimed at resolving differences can be called "Track Two." Although both terms seem to be such simplicity, both have been generally used in academic community.

By the late 1980s and early 1990s, academics from the leading Southeast Asian think tanks had evolved into *epistemic communities* which have been defined by Peter M. Haas as "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area" (Haas 1992:1). In the process, this academic community became the backstop for an emerging track two diplomacy which gained increasing influence on the policy-making both in the economic as well in the security domain. The latter was designed by security thinkers in the region as an approach to discuss, analyze, and minimize the security risks of the post-bipolar era in the Asia-Pacific. If the official government diplomacy has become known as track one, track two brought together think tank experts, diplomats, military officers, and politicians – the three latter all in an unofficial capacity.

Furthermore, track-two diplomacy was accorded the task to focus on sensitive issues for official negotiations which have consequently been categorized as track-one diplomacy. The non-official, informal, and to a certain degree confidential format of these meetings gives participants ample opportunity to discuss these issues frankly and free from fears that any party would be embarrassed in the process.<sup>30</sup> So long will issues be discussed, until a

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<sup>30</sup> Jusuf Wanandi, "ASEAN's Informal Networking", *the Indonesian Quarterly*, Vol. XXIII, No. 1, First Quarter, 1995, pp. 56-66.

solution takes shape. At this point the issue will be swiftly transferred back to track one for final resolution.<sup>31</sup>

Persistent claims in the literature on Asian regionalism is to accord significant influence to non-governmental networks in generating political, economic and security cooperation. A wide range of scholars working across diverse theoretical traditions emphasize the critical influence of 'track two' networks such as the ASEAN-Institutes of Strategic and Inter-national Studies (ASEAN-ISIS), the Council for Security Cooperation in the Asia Pacific (CSCAP) and the Pacific Economic Cooperation Council (PECC) in creating regional institutions and shaping their agendas. The one hand it seems states jealously guard their decision making powers and sovereignty. On the other hands, non-official actors seem to play a major role in facilitating security and economic cooperation.

The idea that people should participate in ASEAN decision-making processes had already emerged in the 1980s among prominent figures within the elite ASEAN circle.<sup>32</sup> Former Indonesian Foreign Minister and one of the founding fathers of ASEAN Adam Malik once stated that “the shaping of a future of peace, friendship and cooperation is far too important to be left to government and government officials... [as such, there is a need for] ever-expanding involvement and participation of the people”. Malik’s idea, however, only became an issue of discussion between those involved in Track 1 and Track 2 diplomacies. It was the ASEAN Institutes for Strategic and International Studies (ASEAN-ISIS), established in 1988, that submitted an idea to have “an assembly of the people of ASEAN” in 1995 which subsequently resulted in the launching of the first ASEAN People’s Assembly (APA) in 2000. It was only then that the participation of the people was finally recognized by ASEAN and its member governments.<sup>33</sup>

On 8th August 2011, peoples and governments of ASEAN member states commemorated its 44th anniversary. One important development about ASEAN today is that it has transformed gradually. It has developed from a five-founding-member association into a regional cooperation that includes 10 countries from the Southeast Asia region in its membership. It has also been changing from a mere association into a community. One notable feature of the commemoration is the hoisting of ASEAN flag side by side with the national flags of ASEAN member states —conducted simultaneously by the diplomatic missions of ASEAN member states all over the world. Though symbolic in nature, this certainly

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<sup>31</sup> JurgenRueland, “The Contribution of Track Two Dialogue towards Crisis Prevention,” *ASIEN*, October 2002, No. 85, pp. 84-96.

<sup>32</sup> Ruland, *op.cit.*, p. 86.

<sup>33</sup> MellyCaballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, Institute for Southeast Asian Studies, Singapore, 2005, p.232.



signals a stronger determination of the ASEAN member states to become a community.<sup>34</sup>

The fact also unfortunately shows the tendency that ASEAN is well-known for its elitist nature and its policies which rarely correspond to the needs of Southeast Asian people.<sup>35</sup> It could also be argued that ASEAN has become this way due to the lack of pressure from civil society groups on the Association. Since its establishment in 1967, the Association of Southeast Asian Nations (ASEAN) has shown little interest in facilitating the participation of civil society in its decision-making processes. During its infancy, most ASEAN member countries were governed by authoritarian regimes which made it difficult for social pressure to emerge, not only at the national level, but also at the regional level. The problem of a democratic-deficit is not only caused by the Association itself, but also by the failure of civil society groups to put pressure on the Association on the importance of involving civil society into various ASEAN's topical meetings.<sup>36</sup> In turn, the limitation of civil society's participation could question the term 'community' that ASEAN would establish in the upcoming 2015.

### **ASEAN: Second Trackers' Diplomacy**

The long-term future of civil society engagement with ASEAN depends entirely on the ability of regional CSOs to come up with a united stance vis-à-vis ASEAN. Currently, civil society groups in Southeast Asia are very much fragmented. As mentioned previously, members of the academic community and many NGO representatives hold divergent views on the way in which the ASEAN integration process should be pursued. Given ASEAN's limited experience in allowing civil society groups to participate in the agenda-setting, it might be difficult for the Association to deal directly with the numerous civil society groups in the region. Another key challenge to civil society engagement with ASEAN is the Association's lack of openness to civil society participation. Less democratic member- countries are still unsure about civil society engagement in the ASEAN process. Countries such as Burma, and even Singapore, would wish to stop civil society groups from participating in the Association's decision-making

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<sup>34</sup> Yayan GH. Mulyana, "After 44 years ASEAN moves closer to one community of nations", *the Jakarta Post*, 13 August 2011.

<sup>35</sup> Wanandi, *op.cit.*

<sup>36</sup> Ludiro Madu, "ASEAN 2011-2013: Bringing Non-State Actors Back In", paper presented at *the International Conference on International System on the End of the Westphalian Settlement: Contemporary Global Challenges Towards the Nation-State System*, Universitas Muhammadiyah Yogyakarta, Yogyakarta, 11<sup>th</sup> November 2013.

processes.<sup>37</sup>

Almost in the same time with ASEAN's plan to introduce an ASEAN Charter and an ASEAN Community, the ASEAN has begun to realize that there is increasing dissatisfaction amongst the intellectual elite and civil society groups regarding ASEAN's closed and exclusive nature. There are now several forums through which civil society groups can find a voice in ASEAN, from the ASEAN People's Assembly (APA), which was convened in Batam, Indonesia, in 2000, all the way up to the ASEAN Civil Society Conference, which was held in Shah Alam, Malaysia, in December 2005. Another civil society network, the Solidarity for Asian People's Advocacy (SAPA), was also established in early 2006 to accommodate discussion and debate amongst Southeast Asian civil society groups, particularly non-governmental organizations (NGOs) that have regional interests and concerns. In addition, civil society groups have been invited to provide input to the members of the Eminent Persons Group (EPG), who were tasked to prepare recommendations on the ASEAN Charter to the leaders of the member countries at the ASEAN Summit, in Cebu, in December 2006. These developments suggest that not only should ASEAN address its democratic deficit problem, but also that civil society groups are eager to engage with ASEAN and its activities.<sup>38</sup>

In time for ASEAN's plan to introduce an ASEAN Charter and to establish an ASEAN Community, the Association has begun to realize that there is widespread criticism of ASEAN's closed and exclusive nature. There are now several forums through which civil society groups can find a voice in ASEAN, from the ASEAN People's Assembly (APA), which was convened in Batam, Indonesia in 2000, all the way up to the ASEAN Civil Society Conference, which was first held in Shah Alam, Malaysia in December 2005. Civil society groups have also been invited to provide input to the members of the Eminent Persons Group (EPG), which was tasked to prepare recommendations to the ASEAN Charter by the 11th ASEAN Summit in Cebu City in December 2006. These developments not only suggest that ASEAN should address its democracy deficit, but also that civil society groups are now ready to engage with ASEAN and its activities.<sup>39</sup>

ASEAN-ISIS has been at the heart of second track diplomacy in Southeast Asia for more than two decades. According to Herman Kraft, track two is 'largely synonymous with ASEAN-ISIS' and it has 'become a key component of the networking activities' throughout the wider Asia Pacific region (Kraft, 2000: 345–6). ASEAN-ISIS was formally created in 1988, although regional institutes

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<sup>37</sup> Alexander C. Chandra, "Southeast Asian Civil Society and the ASEAN Charter: The Way Forward," 8 April 2007, <http://www.thinkcentre.org/article.cfm?ArticleID=2849>, accessed 1 October 2013.

<sup>38</sup> Capie, *op.cit.*

<sup>39</sup> Caballero-Anthony, *op.cit.*

had informally met together for some years before that. Its original members were the Malaysian Institute of Strategic and International Studies (ISIS-Malaysia), the Centre for Strategic and International Studies (CSIS) in Jakarta, the Singapore Institute for International Affairs (SIIA), the Thai Institute for Security and International Studies and the University of Philippines' Institute for Strategic and Development Studies (ISDS). More recently it has expanded to include think tanks from ASEAN members in Brunei, Cambodia, Vietnam and Laos. In 2004, Myanmar's Institute of Strategic and International Studies applied for membership, but to date it has only been granted observer status.

The growth of ASEAN-ISIS during the late 1980s and early 1990s led to calls for wider regional dialogues beyond Southeast Asia. In November 1992, representatives from research institutes and think tanks across the Asia Pacific agreed to form the Council for Security Cooperation in the Asia Pacific (CSCAP) (Ball, 1994). CSCAP has 21 members, each of which in turn has its own national member committee, which is supposed to contain a broad selection of experts, academics and officials with interests in Asia Pacific security. CSCAP's charter describes one of its functions as 'to provide policy recommendations to various inter-governmental bodies on political-security issues' (CSCAP, 1993a: article II).

At the regional level, its work takes place primarily through a small number of study groups, where experts debate conceptual and practical issues ranging from nuclear proliferation and transnational crime to human security and maritime cooperation, producing reports and recommendations which are then considered by its Steering Committee and on occasion referred on to the governmental (track one) ASEAN Regional Forum (ARF). CSCAP's two co-chairs (one from an ASEAN and one from non-ASEAN member) meet annually with the chairs of the ARF Inter-Sessional Group (ISG) on Confidence Building Measures and report on track two activities.

Both CSCAP and ASEAN-ISIS are typical networks in East Asia in that they have been assigned a formal role in regional governance. Since 1993, representatives of ASEAN-ISIS have consulted annually with the ASEAN foreign ministers. In 1995, ASEAN-ISIS and CSCAP were the only non-official networks named in the ASEAN Concept Paper that set out a pathway for the ASEAN Regional Forum (ASEAN, 1995: para 11). In 2006, the ARF renewed its commitment to strengthen links between track one and track two (ARF, 2006a). The real challenge for the analyst is to identify how these networks influence the process of decision making, particularly to what extent the result of track two diplomacy will be considered by track one.

## More Mandates for Informal Meeting on the South China Sea

The attempts to manage potential conflicts in the South China Sea began with the workshop process on Managing Potential Conflicts in the South China Sea in 1989. It was endorsed by the Indonesian Minister of Foreign Affairs and financially supported by Canada. Its aims are to promote peace, stability and cooperation in the South China Sea. This annual workshop shows its important development for the region as a whole, including Indonesia as the mediator of the conflicts. Motivation laid under the workshop is the conviction that all claimants in the region should be guided by the principles that the promotion of regional peace, stability and cooperation in the South China Sea are part of the national interest of the respective disputed countries, and that cooperation is preferable and better than confrontation.<sup>40</sup>

As the implementation of second-track diplomacy, the result of the annual workshops became formal intergovernmental positions. The principles of cooperation, for instance, agreed by the South China Sea Workshop in 1991 became in 1992 the formal ASEAN Declaration on the South China Sea. The Workshop attempts to study and promote a "code of conduct" in the South China Sea resulted in the current willingness of China and ASEAN to discuss a "code of conduct" in the formal ASEAN-China dialogue." The workshop efforts also laid the groundwork for the formal bilateral "codes of conduct" between the Philippines and Vietnam. The Workshop's formulation of cooperative efforts in the fields of marine science, environmental protection, safety of navigation and others have similarly been initiated in the larger context by other formal fora, including the dialogues between ASEAN and China and in the ASEAN Regional Forum and the Council for Security Cooperation in the Asia-Pacific. The good lesson that can be learned from this process is that informal initiatives can be very useful in inducing formal cooperation, albeit in other fora.<sup>41</sup>

The fact that the informal workshop has been held annually for more than 20 years has seemingly not been able to hide several problems regarding autonomy, the focus of the security discourse, and who participates in the channels.<sup>42</sup> Following Kraft's argument, the informal workshop seems that it cannot avoid the realities of the linkage between tracks-one and -two provides track-two diplomacy with access to privileged information and a position from which it could directly influence official policy. It leads to the question of autonomy of representatives of the workshop for its advantage of using official information for their discussion and analysis. Consequently, most results of the

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<sup>40</sup>Hasyim Jalal, "Managing Potential Conflicts in the South China Sea: Lessons Learned" ...

<sup>41</sup>*Ibid.*

<sup>42</sup>Herman Joseph S. Kraft, "The Autonomy Dilemma of Track Two Diplomacy in Southeast Asia," *Security Dialogue*, No 31, p. 345.

workshops did not get official acceptance for official meeting among governments' representatives. Track-two diplomacy tends to move towards greater alignment with governments and their agenda.

Secondly, Kraft also asserts the problem that track two activities have been instrumental in promoting common understandings of security in the region. The unofficial nature of track two makes it the channel of choice for discussing sensitive security issues which normally would never be brought up in official meetings. The informal workshops have limited issues of security to discuss. Its unofficial nature led the workshop for discussing non-traditional perspectives in security. These non-traditional security issues, however, remain on the margins of security discourse in the region. The great majority of track two activities are about mainstream security issues, with their focus on state security. Although the workshop has been held annually, it does not withdraw much attention from security authorities among the claimant states of the South China Sea.

The third problem is that track-two diplomacy is an exclusive club. Kraft explained that track two activities are open to various groups participating and articulating their security concerns. In reality, track-two diplomacy of the South China Sea conflicts has involved a selected number of groups and individuals who discussed security issues that concern governing elites. This diplomacy has only involved a certain groups of think tank without drawing academic attentions from other group. Continued participation of similar groups for a certain period has certainly made this workshop inaccessible for wider society.

Those three problems have revealed unnoticed issues which actually diminished the importance and achievement of the workshop. In addition, the factual development also shows the minimal role of track-two diplomacy in mediating conflicts among claimants of the SCS. China's provocative military maneuver became the evidence of the workshop's incapability for building stability in the region.

### **Concluding Remarks**

The increasing role of ASEAN's track-two diplomacy in Southeast Asia has seemed to find several difficulties in mediating the South China Sea disputes. The issues of autonomy, limited agenda on security and exclusive nature of the diplomacy has explained the problems that the informal workshop or meeting has to deal with. All parties of the workshop have to go beyond their continued diplomacy by introducing more autonomy, widening agenda on security issues, and involving more participants with the hope for more successful track-two diplomacy. The continuity of the workshop has undoubtedly shown the optimism of the track-two diplomacy in promoting peace and cooperation among the claimant states.

# **COUPLING RTOP AND HUMAN SECURITY: STRENGTHENING ASEAN, PROTECTING PEOPLE**

**ZAIN MAULANA**

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA



# **COUPLING RTOP AND HUMAN SECURITY: STRENGTHENING ASEAN, PROTECTING PEOPLE**

**Zain Maulana**

Department of International Relations Muhammadiyah University of  
Yogyakarta

## **Abstract**

Responsibility to Protect (RtoP) is widely acknowledged as international norm for human protection. ASEAN have different response to the doctrine. ASEAN is clearly applies the principles of non-interference and the prohibition of use of force. The region is prefer to the norm of state sovereignty and self-determination rather than the possibility of interference, even the establishment of local instruments for human rights protection such as APSC and AICHR provides inadequately basis for implementing RtoP in the region.

Nevertheless, as Lee Jones (2010) argues that the core principles of the ASEAN have been violated repeatedly and seriously by its member states. The practices of interference and the use of forces occurred within the region such as sponsorship of pro or anti-government movements, propaganda, financial sanctions and economic aid particularly during the cold war. In contrast, they were likely to refuse the interference if it supports their interest. These facts indicate that the ASEAN states tend to interpret the principles in parallel with their national interest.

This article will argue that ASEAN should apply the doctrine of RtoP together with human security concept to strengthen the ASEAN community and providing certainty in dealing with possible conflict and human catastrophes within the region. The adoption of the human security will expanding the scope of the RtoP rather than only justified for the four mass atrocity crimes. Moreover, it will contribute to minimize the abuse of interference for non-humanitarian interest.

*Keywords: Non-interference, Responsibility to Protect, Human Security, Non-Traditional Threats,*



## **Introduction**

In the post-cold war era, Responsibility to Protect (RtoP) becomes one of the most prominent international norms for human rights protection. The emergence of the norm is strongly related to the widespread of internal violent conflicts and human rights violations in many regions. Convincingly, the principle has been accepted and endorsed by the UN General Assembly in 2005 and reaffirm by the UN Security Council in the following year. According to World Summit Outcomes Document; RtoP consists of three non-sequential basic principles. First, all states have responsibility to protect their own populations from four mass atrocity crimes. Second, international community is duty bound to encourage and to assist state to rebuild their capacity. Third, the international community is possible to employ, through UN or regional organizations, diplomatic, humanitarian, peaceful means and as a last resort coercive means, to protect populations from the four mass atrocity crimes (2005:30).

The document also emphasize repeatedly that RtoP is specifically to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. As a consequence, RtoP cannot be applied to response outside the four categories of mass atrocity crimes. Focusing on the four types of human rights violations, the crimes assumed as ultimate threats that can cause massive-scale of destruction to human's life. The specific crimes are also contributes to avoid the misapplication of the norm for non-humanitarian purposes. Therefore, RtoP cannot be used in all kinds of situation of conflict and human catastrophe without any specific requirements and assessments.

It is undeniable that the four crimes are deathful, however, in recent years, threats that can undermine the individual basic rights and interests become more complex. Threats are not only limited to the four crimes, but includes the existence of non-traditional threats such as disease, environmental degradation, poverty, hunger, and unemployment (Newman, 2001: 240). The security of state due to the high capability to protect the territorial integrity is not necessarily in line with security of the people. In other word, state with no territorial threats and disputes are possibly be inhabited by insecure people (Thomas and Tow, 2002: 178).

Obviously, the ICISS report on RtoP affirms that the end of cold war has creates a new security issues. The report says that "the end of cold war has encourages states to emphasizes on democratization, human rights and good governance, but for many other states, the result has been internal war and civil conflict" (ICISS Report, 2001: 4). Unfortunately, the new security issues of the report is still focus on state-centric security rather than emphasize to the widespread of disease, starvation, unemployment, and environmental degradation as part of security as clearly noticed in the concept of human security.

Human security is a multifaceted concept that covers broader aspects of environment, economics, and politics as part of security. In 1994, UNDP Human Development report confirms that human security means that people is safety from chronic threats as hunger, disease and repression (Qtd. in Newman, 2010: 79). The basic idea of the concept is how to protect human and provides their basic rights. Human security attempts to place human as the referent of security, rather than, although not necessarily in opposition to, institutions such as territory and state sovereignty (Newman, 2001:239).

The emergence of human security indicates that the traditional concept of security that more focuses on state is insufficient to protect people from wider aspect of threats. In many regions, the non-traditional threats are as dangerous as conflict and war for human. The situation in Africa proves that people death is not only caused by violent conflict or internal war, but the widespread of disease such as Malaria, HIV-AIDS and Ebola are highly contributes to the people deaths and humanitarian crisis. The serious impact of the disease confirms that the non-traditional threats should be inherent in the international agenda on human rights protection.

In the context of ASEAN, RtoP and human security are supported inconsistently. In many international forums, ASEAN states declare their support to human rights protection. However, the states refuse to apply RtoP and unwilling to use the norm as the main referent for the ASEAN's local norms and instruments on human rights. Rather than advocate the dissemination of RtoP, ASEAN states continuing to challenge particularly the third pillar of the norm (use of force) in the humanitarian intervention. The use of force is arguably incompatible with the ASEAN basic principles: the non-interference, territorial integrity and the non-use of force since the principles are inherent and inseparable with the purpose of ASEAN that is to enhance peace, security and stability (ASEAN Charter, 2007:3-6).

In related to this, ASEAN states choose to enforce the regional basic principles rather than seriously attempt to applied RtoP and the wider human right protection within the region. But ironically, the application of the ASEAN principles was also inconsistent where some of ASEAN states had violated the non-interference and the territorial integrity. In his article, Lee Jones clearly shows the violations of ASEAN member states to their basic principles that encouraged by the state national interest rather than humanitarian purposes (Jones, 2010).

This article argues that ASEAN should adopt the principle of RtoP and the human security into the ASEAN local norms and instruments to strengthen the ASEAN community in dealing with possible conflict and human catastrophe in the region. The adoption of both concepts make ASEAN has more legitimacy and authority to response broader aspects of security in addition to the four mass

atrocities crimes. Moreover, the institutionalized of human rights protection agenda may not lead the multi interpretation and the inappropriate use of the ASEAN principles. In other words, combining the principle of RtoP and the concept of human security into ASEAN local instruments is likely to provide certainty to the member states in regard to collective response to human catastrophe.

### **The ASEAN Paradox**

In recent decades, ASEAN has performed significant progress on human rights issues. ASEAN realizes that human rights are a fundamental aspect that is inherent and inseparable to all humans. ASEAN shows their commitment to human rights with the creation of some norms and instruments such as ASEAN Political-Security Community (APSC), ASEAN Inter-governmental Commission on Human Rights (AICHR) and ASEAN Human Rights Declaration (AHRD). As stated in the Terms of Reference of the AICHR and the declaration of human rights, ASEAN states commit to promote and protect human rights that refers to Universal Declaration on Human Rights (UDHR) and all international human rights instruments to which ASEAN states are actively participating.

In practice, in the UN General Assembly debate in 2009, six ASEAN states: Indonesia, the Philippines, Singapore, Malaysia, Vietnam and Myanmar have declared and strongly support to the basic principles of the RtoP (Bellamy and Beeson, 2010:268). In the case of crisis in Darfur, the Philippines confirm their support to the idea of sovereignty as responsibility. The state emphasizes that the inability or unwillingness of a state to protect its own citizens, the international community has the responsibility to help the state to protect the population. Singapore also signalled its support by joining the “Group of Friends” of RtoP and even Myanmar voiced its support for the principle of RtoP (Bellamy and Beeson, 2010: 268-9). At this point, the normative effort of ASEAN on human rights protection is appreciated and undeniably.

Nevertheless, the ASEAN recognition to the norm is conditional and inconsistent. Southeast Asian states show ambivalent behaviour where the commitment to human rights protection is in parallel with the rejection to use in practice of the RtoP particularly within the region. There is inadequate evidence that shows the serious effort from ASEAN to ensure its widespread debate, to apply or use in practice the RtoP (Capie, 2012:82, Bellamy and Beeson, 2010: 269). The scepticism of ASEAN to RtoP is commonly referred to the point of the use of force in the RtoP (Capie 2012: 81, Sukma 2012: 136, Tan 2011: 204). The ASEAN states considered that the use of force is unlikely to bring better outcomes for the region and its people. Indonesia, for instance, in the plenary meeting of the UNSC in 2006 stated that “the concept of the responsibility to protect should be approached very carefully, taking into account the sovereignty and equality of all states. Indonesia is also opposed to the threatening of peoples, groups or

countries by others and sees that as a counterproductive measure” (Qtd. in Alexandra, 2012:58). In similar position, Thailand government is also remains hesitant to the third pillar of RtoP. In his article, Kraisoraphong argue that despite RtoP indicates military action is only justified in the most extreme cases and the military is not the only option but includes preventive action, the third pillar remains dominate the Thai government perception to RtoP (2012:17-19).

As a result, the scepticism of ASEAN states leads to the absence of ASEAN’s local instruments that directly refers to the norm. For example, the creation of APSC was detached to the RtoP as international norm on human rights protection. Rather than provide a necessary normative and legal basis to address any specific security problem, the APSC serves as a framework for consolidating political and security cooperation among ASEAN member states (Sukma, 2012: 138). The APSC does not provide a clear indication how to strengthen ASEAN’s capacity to prevent the occurrence of the four mass atrocity crimes (2012:141). The instrument lacks of legitimacy and authority for collective action to response the possibility of human rights deprivations and violations.

In related to this, ASEAN continuing to enforce the principle of non-interference and the non-use of force instead of encourages the possibility of interference for humanitarian purposes. ASEAN is likely to place the traditional norms in opposition with RtoP rather than seeks to integrate the norms to create adequate local instruments for human rights protection. The disconnected makes the agenda of human rights protection become dependent with the ASEAN principles of state sovereignty, territorial integrity, free from external interference, subversion and coercion (ToR AICHR Document, 2009: 4). For this situation, Tan conclude that the role of ASEAN in regard to human rights is more like a provider of security rather than protector (2011). ASEAN has no legitimacy and authority to impose sanctions or interference to protect people particularly in related to the four mass atrocity crimes inside the region.

The principles of non-interference and non-use of force are the maincharacteristic of ASEAN security architecturethat claimed as the primary reason for order and peace (Bellamy and Drummond, 2011:184). The principles constraint the ASEAN states to be able to advocate RtoP in the region because interference is prohibits within ASEAN. As a result, interference seems impossible to be applied within ASEAN. Unfortunately, the implementationof the non-interference and non-use of force are pragmatic. Jones (2010) noted that the core principles of the ASEAN have been violated repeatedly and seriously by its member states. The violation to the principles of non-interference and state sovereignty consists of sponsorship of pro or anti-government movements, propaganda, financial sanctions and economic aid particularly during the cold war (2010:480-481).

In some parts, the ASEAN states also weakened their sovereignty for which allows multinational corporations to control parts of their territories for economic reasons (Nesadurai, 2009 in Jones, 2011:405-6). The non-interference and state sovereignty are likely to be used in parallel with the states national interest where they are strictly refuse interference if it supports their interest, while they had interfere other domestic affairs to preserve the interest. Samuel Sharpe argue that “the absence of highly institutionalized legal framework, the incentive for member states to comply with ASEAN’s key principles would be that they see it as in their own interests” (2003:232). The enforcement of the ASEAN principle by its member states were selective rather than uniform (Jones, 2011: 406). In the word of Rodolfo Severino, ASEAN former secretary general (2006:94), “the application of non-interference is governed by ‘pragmatic considerations’ and prove that the principles is not absolute” (Qtd. in Jones, 2010:481).

In the cold war era, ASEAN states were use the non-interference to defend non-communist domestic social order, but intervention were applied to contain threats from radical forces that might destabilize the order (Jones, 2010:484). Regime or government use the non-interference to maintain their power and interest. For example, Vietnam has intervened Cambodia in attempt to eliminate the Cambodian threat, territorial ambitions over Kampuchea, even to install a puppet government (Abiew, 1999: 129-31). In the conflict, ASEAN together with China has rebuilt the forces of the Khmer Rouge and the anti-communist guerrilla groups (Jones, 2010:487). Another example was the invasion of Indonesia to East Timor in 1975. In this case, Indonesia attempts to incorporate East Timor as part of Indonesia. The annexation was initiated human rights abuses such as torture, murders and famine that caused 200,000 people death (*BBC News Asia*. Web. 22 July 2014). But ironically, none of the ASEAN interventions can be described as an effort to defence humanitarian norms, but rather national interest pursued. (Cotton, 2001:128).

The problem of ASEAN is unfinished yet. ASEAN also lack of authority and instruments to response threats beyond the four mass atrocity crimes such as disease, transnational crimes, natural disaster and other aspects that inherent in the concept of human security. The case of Cyclone Nargis in Myanmar was a clear example of the unpreparedness of ASEAN in dealing with the catastrophe. In this case, while international community propose the implementation of RtoP to provide humanitarian assistance even without the Junta’s consent, some ASEAN states like Indonesia and Vietnam refuse the proposal with argue that RtoP did not apply for natural disaster (Barber, 2009 in Bellamy and Beeson, 2010:272). Besides that, the ASEAN states also disagree to force Myanmar government to accept humanitarian assistance.

As a result, the catastrophe has been response slowly by the ASEAN due to the absence of norm and instrument to provide humanitarian assistance. The recognition of ASEAN in protecting people from either the four mass atrocity crimes or the non-traditional threats are discontinued into deeper endorsement and institutionalization of the principles due to the sceptical view to the interference even for humanitarian purposes.

### **The Vulnerability of ASEAN**

In one side, ASEAN is arguably a successful regional institution that able to bring regional political stability and security with the absence of inter-state conflict that involves military forces. On the other side, most of the ASEAN states are vulnerable to internal conflict and the widespread of non-traditional threats. In particular aspects, ASEAN traditional principles implies an assumption that neighbor is not a threat. The principles seem able to provide guarantee that other states inside the region will not intervene each other. As a result, the political and security order inside ASEAN becomes more stable after the establishment of the regional institution. However, some of ASEAN states particularly Myanmar, Indonesia, the Philippines and Thailand facing continuing tensions with internal armed oppositions groups (Anthony-Caballero, 2012:120). In Burma or recently Myanmar, since military coup in 1962, democratic rule is change into military regime. After the coup d'etat, internal conflict and human rights abuses in Myanmar are escalates specifically toward political dissident and ethnic minorities. According to Amnesty International report:

Internal armed conflict between the government of Myanmar and the political wings of ethnic opposition groups are intensifies and highly threaten people who live in areas of conflict. The report inform that in some areas such as Kachin and Northern Shan State continued to be subjected of human rights abuses including arbitrary arrest, unlawful killings, sexual violence, torture, displacement of over one million Burmese and destruction of livelihood' (Annual Report Myanmar 2013).

The human rights abuses are obviously pass the threshold of RtoP that can be considered as part of mass atrocity crimes. In 2006, international community had proposed resolution to end the human rights violations, but it failed due to the disagreement of two veto's states, China and Russia, and *the ASEAN states to apply RtoP in response the situation in Myanmar* (ICRtoP Report, *Italics added*).

Not only Myanmar, another ASEAN state, Thailand, recently face political crisis where the government supporters and the opposition forces involves in violent conflict. To response the situation, Royal Thai Army has declares martial law and launched a coup that claimed to restore political stability (*The Diplomat*.

Web. 23 May 2014). This is possibly falls into deeper internal conflict because the problems becomes more complex and involves some of domestic political groups in addition to the outside pressure. When the military regime failed to present stability and justice, the social unrest will be spread out and continuous. Recently, the military regime has imposed some of restrictions to people movement, imposed curfew and limitation to television and social media (*The Guardian*. Web. 21 May 2014). As consequence, more serious human rights abuses like kidnapping and torture are likely inevitable in the worsen situation of crisis.

The occurrence of political unrest and human rights abuses in the two ASEAN states are adequately shows that ASEAN is vulnerable and likely to become unstable. In addition to the internal violent conflict, the existence of non-traditional threats within the region is another problems that ASEAN have to deal with. The challenges of ASEAN includes: natural disaster-prone region like earthquake, tsunami and cyclone, most of the states are hardly struggling to deal with poverty and sharp inequality, some states are involves in territorial dispute over South China Sea, environmental degradation due to the over exploitation on natural resources, the widespread of HIV-AIDS and the increases of terrorism and separatism particularly in Indonesia, Malaysia and the Philippines.

In one side, the successful of ASEAN to bring stability and remarkable economic growth are appreciated, however, it is not sufficient to guarantee the welfare and security of people as well as to maintain its stability. The positive economic growth, political stability and security of state are not automatically, although has contribution, eliminate threats to people. For examples, Indonesia and the Philippines are two ASEAN states that perform high economic growth and investment. In addition, both states have adequate capability to protect the state and the territories from outside, at least, the ASEAN's neighbour countries. Even the Philippines enjoy enormous security assistance from the US as part of the security cooperation between the states (Lum, 2006:2).

In contrast, poverty, inequality, the widespread of HIV-AIDS, and the threat of terrorism or separatism are significant within both states. In the Philippines, the actual number of people who lives below poverty line improves between 2006 and 2012 from 3.81 million to 4.21 million (*The Wall Street Journal*. Web. 10 Dec 2013), while the number of Indonesia's poor, based on Indonesia Statistical Centre, is 28 million or around 11.25 percent measured by US\$ 1 earning level. Even the number of poor will be increase significantly to more than half of the Indonesia total population, if the poverty line was set at \$2 per day as the World Bank standard (*The Jakarta Post*. Web. 13 February 2012).

Besides poverty, the Philippines also has to deal with serious widespread of HIV-AIDS particularly among the young generations. UNICEF report says that although the prevalence of HIV-AIDS in the Philippines is still low, the country is included as one of seven countries in the world with the number of new HIV cases

has increased by over 25 percent from 2001 to 2009 (UNICEF Report). In the next decades, the increases of non-traditional threats such as poverty, inequality and the widespread of HIV-AIDS are most likely to be followed by other catastrophes like starvation and health crisis. Ultimately, the culminated of the non-traditional threats will not only threaten the people, but it can influence the stability of politics, economy and security of the state.

### **Conclusion: Coupling RtoP and Human Security**

The existence of internal conflict and non-traditional threats makes ASEAN should has appropriate instrument and mechanism to deal with the threats. In this case, adopting RtoP and human security into the ASEAN local norms and instruments are necessary in order to protect people inside ASEAN. Human security attempts to place human or individual as the main focus of security. As Booth points out that focusing on human is not means merely individualism because 'social' is fundamental part of humanity (Qtd. in Bourne and Bulley, 2011:456). The concept is not aimed to undermine the sovereignty of state, but rather to strengthen the state capacity to provide security for the population. Human security implies that state remains the central provider of security in ideal circumstances (Newman, 2001:240). This argument is critically important to convince the ASEAN stakeholders that the concept of human security is not a threat to the local values that currently exist in Southeast Asia. In short, protecting human is similar with preserving the community.

This notion is parallel with the RtoP principle in which the involvement of international community to save people from mass atrocity crimes is only justified if the state unable or unwilling to do so. Therefore, both RtoP and human security concept place the government of state have full authority to provide security for their people. ASEAN and the international community have only responsibility to protect the individuals in the situation of inability of the state to deal with the catastrophe or when the state becomes the source of threat for their own citizens.

The use of RtoP and human security contributes to provide certainty to the ASEAN states in what condition interference is needed and justified. ASEAN is able to (re)create rules and mechanism to ensure that interference is engaged with strictly requirements and assessments that the member states have to adhere. In regard to this, although applying RtoP is possibly to be abused and inappropriately used, the firm rules and requirements will ensure the interference is aimed to protect populations as well as to prevent the abuse of the authority for other non-humanitarian purposes.

As a consequence, in order to make the norms more effective, the current characteristic of ASEAN institutions need to be changed or at least, re-adjusted



since the member states insist to its basic principles and refuses to re-shaped the institutional format to go beyond the traditional norm of non-interference (Acharya, 2004: 240-1). Since the establishment until recent years, ASEAN is more like an informal and non-legalistic regional institution where agreements are nonbinding and reached through consultation and consensus (Bellamy and Beeson, 2010: 270). Unlike European Union where the institution has power to initiate legislation that possibly to shape behavior of the member states, ASEAN remain the lack authority and powerless of institution (2010:270). ASEAN should be transformed into more powerful institution where the member states adhere with the institution norms and rules. ASEAN member states should gives more authority to the regional institution to take necessary action includes providing authorization for interference specifically in relations to the four mass atrocity crimes and non-traditional threats.

The transformation of the ASEAN characteristic due to the adoption of RtoP and human security is not necessarily in conflict with the ASEAN traditional principles of non-interference and non-use of force. ASEAN need to readjust the basic principles with the norm of RtoP and human security rather than to remove the traditional principles. In practice, ASEAN states should be able to reach consensus to combine the ASEAN traditional principles with the RtoP and human security into the local instruments that related on human rights. The combination of them is not only expanding the role of ASEAN, but also to keep the interference is only focus on human protection. Moreover, applying RtoP does not necessarily the same and leads to the application of military forces. The word of “last resort” clearly indicates that the coercive means is only possible to used and justified if other peaceful means failed (Upadhyaya, 2004: 85-6). Refers to Glanville argument that “the third pillar of RtoP does not weaken the legal restrictions on the use of force or legalize unauthorized intervention, and it does not promote the resort to force without clear consideration of balance consequences” (Glanville, 2013:179).

## References

- Abiew, Francis Kofi. "The Evolution of the Doctrine and Practice of Humanitarian Intervention." Kluwer Law International, The Netherlands, 1999.
- Acharya, Amitav. "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism." *International Organization* 58.2 (2004): 239-275.
- Alexandra, Lina. "Indonesia and the Responsibility to Protect." *The Pacific review* 25.1 (2012): 51-74.
- Amnesty International.org. Annual Report: Myanmar 2013, 23 May 2013. Web 1 September 2014. <http://www.amnestyusa.org/>.
- ASEAN.org. *ASEAN Human Rights Declaration*, 2012. Web 23 July 2014.
- ASEAN.org. *ASEAN Intergovernmental Commission on Human Rights (Terms of reference)*, 2009. Web 22 July 2014.
- ASEAN.org. *ASEAN Political Security Community Blueprint*, 2009. Web. 22 July 2014.
- ASEAN.org. *The ASEAN Charter*, 2007. Web. 22 July 2014.
- BBC News Asia. *East Timor Profile*. July 22 2014. Web 2 September 2014.
- Bellamy, Alex J. and Mark, Beeson. "The Responsibility to Protect in Southeast Asia: Can ASEAN Reconcile Humanitarianism and Sovereignty?." *ASEAN Security* 6.2 (2010): 262-279. Web. 9 October 2013.
- , Alex J. and Catherine Drummond. "The Responsibility to Protect in Southeast Asia: Between Non-Interference and Sovereignty as Responsibility." *The Pacific Review* 24.2 (2011): 179-200.
- Bourne, Mike, and Dan Bulley. "Securing the Human in Critical Security Studies: The Insecurity of a Secure Ethics." *European Security* 20.3 (2011): 453-471.
- Caballero, Mely Anthony. "The Responsibility to Protect in Southeast Asia: Opening Up Spaces for Advancing Human Security." *The Pacific Review* 25.1 (2012): 113-134).
- Capie, David. "The Responsibility to Protect Norm in Southeast Asia: Framing, Resistance and the Localization Myth." *The Pacific Review* 25.1 (2012): 75-93.
- Cotton, James. "Against the grain: the East Timor intervention." *Survival* 43.1 (2001): 127-142.
- Glanville, Luke. "In Defense the Responsibility to protect." *Journal of Religious Ethics* 41.1: 169-182.
- Handayani, Iin P. *Beyond Statistics of Poverty*. The Jakarta Post. 13 February 2012. Web 5 September 2014.
- ICISS Report. *The Responsibility to Protect*, 2001. Web. 10 January 2013.
- Jones, Lee. "ASEAN's Unchanged Melody? The Theory and Practice of 'Non-Interference in Southeast Asia.'" *The Pacific Review* 23.4 (2010): 479-502.
- , Lee. "Beyond Securitization: Explaining the scope of security Policy in Southeast Asia." *International Relations of the Asia-Pacific* 11 (2011): 403-432.
- Kraisoraphong, Keokam. "Thailand and the Responsibility to Protect." *The Pacific Review* 25.1 (2012): 1-25.
- Larano, Cris. *Philippines Poverty rate Improves Little Despite Economic Growth*. The Wall Street Journal. Dec 10 2013. Web 3 September 2014.

- Lum, Thomas. "The Republic of the Philippines and U.S. Interests". Congressional Research Service. *Library of Congress*, 2006. Web 3 September 2014.
- Newman, Edward. "Human Security and Constructivism." *International Studies Perspective* (2001): 239-251. Web. 7 June 2014.
- , Edward. "Critical Human Security Studies." *Review of International Studies* 36.01 (2010): 77-94. Web. 7 March 2014.
- Palatino, Mong. *Thailand's Coup Will Worsen Political Crisis*. The Diplomat. 23 May 2014. Web 3 September 2014. <http://thediplomat.com/>
- Presse, France. *Thai Army Calls Crisis talks Between Deadlocked Political Rivals*. The Guardian. May 21, 2014. Web 2 September 2014.
- Responsibility to Protect.org. *The Crisis in Burma*. Web 3 September 2014.
- Sharpe, Samuel. "An ASEAN Way to Security Cooperation in Southeast Asia?." *The Pacific Review* 16.2 (2003): 231-250.
- Sukma, Rizal. "The ASEAN Political and Security Community (APSC): Opportunities and Constraints for the R2P in Southeast Asia." *The Pacific Review* 25.1 (2012): 135-152).
- Tan, See Seng. "Provider Not Protector: Institutionalizing Responsible Sovereignty in Southeast Asia." *ASEAN Security* 7.3 (2011): 201-217.
- Thomas, Nicholas and William T. Tow. "The Utility of Human Security: Sovereignty and Humanitarian Intervention." *Security Dialogue* 33.2 (2002): 177-192.
- UNICEF.org. *Philippines: HIV and AIDS*. Web 27 August 2014.
- United Nation General Assembly. *World Summit Outcome Document*, 2005. Web. 10 January 2013.
- Upadhyaya, Priyankar. "Human Security, Humanitarian Intervention, and Third World Concerns." *Denv. J. Int'l L. & Pol'y* 33 (2004): 71. Web. 1 September 2014.

**FREEDOM OF EXPRESSION AND THE PRESS  
TOWARD ASEAN COMMUNITY 2015: A STUDY  
OF THE ROLE OF ASEAN JOURNALIST'S  
ASSOCIATIONS ON PROMOTING AND  
MONITORING PRESS FREEDOM**

**MASDUKI**

UNIVERSITAS ISLAM INDONESIA



# **FREEDOM OF EXPRESSION AND THE PRESS TOWARD ASEAN COMMUNITY 2015: A STUDY OF THE ROLE OF ASEAN JOURNALIST'S ASSOCIATIONS ON PROMOTING AND MONITORING PRESS FREEDOM**

**Masduki, M.Si, MA**

Lecturer of Communications, Faculty of Psychology, Social and Cultural  
Sciences, Indonesian Islamic University, Yogyakarta, Indonesia

## **Abstract**

*Since 1998, recognizing the need for independent journalists concerned with preserving, protecting and increase freedom of expression and the press in Southeast Asia region, there was an initiative among prominent journalist's associations from Indonesia, the Philippines and Thailand to establish the first regional level of a non-profit press freedom organization, based in Bangkok, namely Southeast Asia Press Alliance or SEAPA.*

*This paper would explores the roles implemented by the SEAPA, particularly Alliance of Independent Journalist (AJI), an Indonesian journalist association in promoting and maintaining press freedom since 1998 up to present. In relation to ASEAN political-security community blue print, this paper would deeply goes to elaborate the existing press environment and contributions of journalist community in ASEAN toward implementation of ASEAN community principles 2015 mainly the press freedom and human right promotion and advocacy.*

*Until 2014, the SEAPA as well as AJI actively initiate and involve in respond to abuse of press freedom as part of human right violation on particular ASEAN countries such as Malaysia, Myanmar and Singapore as well as encourage governments in the region to reform repressive media laws, relax restrictions on the exercise of free expression and maintain the development of a free and responsible media culture in Indonesia and others.*

*Keyword: Press, Expression, SEAPA, ASEAN Community*

## **Press Freedom and Human Right**

I would start my paper with defining press freedom and its relation to human right issues. Generally, press freedom or freedom of the media is the 'free space' of communications and expression through all kind of mediums including various printing, broadcasting and electronic media and published materials. While such freedom mostly implies the absence of interference directly from government officials or a private-personal economy and political interest, its preservation in democratic states may be sought via a strongly state constitutional or other fundamental legal entity protections.

Press freedom is commonly refers to statement of The Universal Declaration of Human Rights: *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of frontiers"* ([www.un.org](http://www.un.org)).

Using it as a global human right principle, the statement is then accompanied by regional or national level of legislation ensuring various degrees of freedom of scientific or academic research, media publishing, press and printing of public issues. In most develop countries, the concept of freedom of speech is often covered by the same laws as freedom of the press, thereby giving equal treatment to spoken and published expression among all civilians. In Indonesia, for instance, media was endorsed strongly to facilitate openly the application of public opinion and expression via the Press law number 40/1999.

Freedom of the press is the popular term applied to the fundamental human right "to inform and to be informed." It is a special principle connected to the general principle of freedom of speech and is displayed by a special range of its right-holders (though the blurring of the distinction between news makers and news consumers (Sadurski, 2011). Communication professor Fred S. Siebert in his book namely *Four Theories of The Press* elaborates media system existing in the world and separates it into four theories: authoritarian, communist, libertarian and social responsibility. According to Siebert, the mass media, under authoritarianism, are educators and propagandists by which the power elite exercise social control. A person engaged in journalism is so engaged as a special privilege granted by the state apparatus. He, therefore, owes an obligation to the regime (Siebert, 1956). This unexpected system happened in Indonesia during the long term of Soeharto's era (1966-1998).

In contrast, a libertarian press functions to present the real truth, but in fact, it is still controlled by non-government elite groups. Based on market freedom paradigm, libertarian press plays as a mouthpiece of the dominant players of economy, both nationally and internationally. A global commercial media system dominated by a small number of super powerful, mostly USA-based transnational media corporations (McChesney, 2000). Of this situation, there is not sufficient

room for public mainly ordinary citizen to express their opinion equally. The mixture of economic and political interest as appeared in 2014-Indonesian national election that interfere media newsroom has been limit public and healthy information. It was violates human right on the access of information through mainstream media. Therefore, social responsibility system is a way out to answer bad impact of both authoritarian and libertarian.

Media expert John C. Merrill emphasizes the freedom of the Press as essential principle to build an authentic journalism, to creative press system and to expanding vigorous and self-assured journalists. Journalistic autonomy is the imperative (the only valid responsibility) for those who want to participate in journalism on a really human level (Merrill, 1993). Without a free press in a position to scrutinize the powers that be, it's possible for non-democratic government to diminish personal rights without anyone reaching out about it. Local authorities also violate the right of human beings to physical integrity. This is, for example, the case in Kalimantan provinces, Indonesia where mining industries are destroying the environment yet news of this destruction never even reaches the Indonesian capital Jakarta.

In summary, we can say that there is no such thing as freedom without the freedom of the press. In authoritarian state, autocrats and dictators usually harass journalists in a bid to hold onto the wheel of power. They want to ensure that only their policy, their opinion the truth and their own interests alone reach the public area. In states where the press is not free, civil society activists and non-governmental organizations normally cannot exert influence on official politics. Learning from Indonesia, Thailand and the Philippines cases, democratic structures cannot develop if the press lacks their freedom, both in access to information and their story publication. Free press can facilitate openly debates of political viewing alternatives or disputes between the existing government officials and oppositional leaders.

Recently, the advancement of technology and establishment of a variety of new and old media platform in ASEAN countries makes it easier to overcome censorship because there are more opportunities for citizenship to access current stories. This range of media means that everyone in this region can find a way of participating in democratic processes in accordance with their age, technical skills, preferences and media accessibility.

In case of long periods of Thailand political crisis, internet medium and others proved the most effective tool for breaking through the information blockade implemented by ruling militaries and political regime. Despite censors, they facilitate audiences in around the world a reality other than that broadcast by state-controlled national television or media in general. Interestingly, for the young generation behind the anti-graft movement in Indonesia, social media like Facebook are crucial for solidarity making process (Masduki, 2010).



Finally, advocacy of freedom of expression and the press is closely related to ASEAN charter and will help to implement the 2009-ASEAN Political-Security Community Blue Print, especially on efforts to strengthen interaction between the network of existing human rights mechanisms as well as other civil society organizations, with relevant ASEAN sectoral bodies; enhance exchange of information in the field of human rights among ASEAN countries in order to promote and protect human rights and fundamental freedoms of peoples in accordance with the ASEAN Charter and the Charter of the United Nations, and the Universal Declaration of Human Rights and the Vienna Declaration and finally, helps to promote education and public awareness on human rights at large (APSC, 2009).

### **Overview of Press Situation in ASEAN**

The rapid economic and social development in ASEAN region within last 20 years and also globalization challenge political control; trigger political reform and the advancement toward more democratic and open societies particularly in four biggest ASEAN countries: Indonesia, Philippines, Thailand and Cambodia. Other countries are also trying to move forward and adopt gradually a similar reform in a step by step process.

Generally, according to Chongkittavorn, the levels of freedom experienced by media in the nations of Southeast Asia vary from the freewheeling to totalitarian to something in between. This circumstance is very much related to the vast political and cultural diversity found in this region. How able the media are to act independent of government control and self-censorship, resulting from intimidation, is influenced by what form of leadership exists in the respective country and whether the political leaders are fearful of independent media.

Furthermore, an added threat to the media's already vulnerable professional standing, as well as to their economic ability to survive, revolves around the effect of the region's 1997 and 2006 economic crisis. This crisis inflicted a heavy toll on the practice of journalism in countries such as Thailand and the Philippines, where freedom of the press had been established. Less effect on media was felt in other countries in this region that were controlled to various degrees by government offices (Chongkittavorn 2002).

Lately, confronted by increasing criticism through the media, authorities throughout the region have intensified their crackdown on the free print and broadcast media. In silencing this criticism, the methods used have been more sophisticated than in past decades. For example, Indonesian governments have regularly restores existing anti-press laws or reinterpreted them to weaken the work of journalists and media critics.

Previously, former Thailand's Prime Minister Thaksin Shinawatra, who came to power in 2001 with an overwhelming majority, has restricted freedom of expression in Thailand as never before. During the first year of his supremacy, his modus operandi has ranged from the removal or reshuffling of talk-show hosts to the suspension of television and radio programs unfriendly to government. Through the prime minister's control of huge advertisement budgets from state-run institutions and enterprises, as well as his personal network of companies and affiliates, only media that support the government have been awarded large chunks of advertising and incentives (Chongkittavorn, 2002). In contrast, other former Thailand's foreign minister Surin Pitsuwan statement indicates good idea. He said that freedom is indivisible. It is all or none. For Pitsuwan, it is therefore the responsibility of each member of the society not only to safeguard the freedom of the press but also to ensure the safety of its practitioners.

Information technology development helps to disseminate news and keep the public informed, and has mobilized them in support of social crisis. This communication tool helped the public to avoid the physical barriers and media blackouts set up by prominent authorities. In the Philippines, the short message service (SMS) linked the users and kept them engaged altogether. Urged on by rousing messages, public showed it up in force. A similar positive situation was also occurs among Indonesia young activists and media NGOs.

Amid this proliferation of information technologies, governments attempting to control the press are struggling against the possibilities created by these new media. And they are doing so at a time of greater global connectivity, which also pushes open their regional enclave. But, still, government controls exist. For instance, the online users in Singapore, which has one of the highest rates of Internet use in the world, are under close scrutiny through a comprehensive system of government surveillance and legislation. Cyber task forces regulate and control free speech on the Internet as the government seeks to prevent people and groups from harnessing the online forum for democratic gains. At the same time, the government uses the Internet to deliver its propaganda and ideological messages to the people (Chongkittavorn, 2002).

In Malaysia, much of the media are still under the government's pressure. Yet there are independent-interest Malaysian journalists fighting to protect their limited freedom, but the local government has used the Internal Security Act to imprison dissenting journalists. Interestingly, the three-year-old online newspaper, Malaysiakini, survives as an alternative source of news and information. According to Chongkittavorn, for now the government tolerates this online news provider since it does not want to damage its much-heralded blueprint of turning Malaysia into a super-cyber state designed to attract foreign investment in information technologies. It is unclear how long Malaysiakini will avoid the government's anger.

In other Southeast Asia's "dark zone"—Vietnam, Laos and Burma—media freedom is commonly still regarded as a serious threat to the longevity of one-party rule. Measured off-limits are any open discussions about political issues either in print or on radio or television. In Vietnam, government-sanctioned criticism on targeted issues does occur. The future for news media in these countries is depressing if not further democratization takes hold.

Recent years, interestingly there were law reform initiatives in Burma and Timor Leste in support to introduce press freedom. Burma began to move away from infamous draconian laws that kept media under control since 1962. Start with the abolition of pre-publication censorship, new media laws have been enacted in March 2014 to oversee different media, with the Press Law being perhaps the going away from the old regulatory regime.

The freer Burma media environment stands among the most important indicators of democracy prior to the 2015 elections, although the relative freedom being experienced is mainly due to non-implementation of repressive laws that remain in place. In fact, the Press Law did not totally abolish the 1962 law but only repealed specific provisions that are conflict with the new law. More significantly, the government retained critical licensing powers over print media in the Printing and Publishing Registration Law (SEAPA, 2014). In Timor Leste, the press law seems to be moving toward enactment six years since the initiative was restarted to detail the constitutional provision guaranteeing press freedom.

Indonesia's liberal media system, however, remains at risk. Ranging from BJ Habibie to Yudhoyono presidency era, the government has yet to introduce a promised systematic reform of repressive media laws used by the Suharto government to close publications and imprison journalists. The making of Press Law 40/1999 was smoothly followed by Broadcasting law number 32/2002 and finally the Openness of Public Information Law in 2008. The grand design behind the effort to pass these acts is to ensure equality and compatibility among all mass media regulations, particularly on the subject of press freedom in the broadest meaning of the term (Razak, 2000). As one of the world's largest democratic countries with a large number of journalists, Indonesia is a good experimental land for legally protected free media, although in practice, media system chiefly broadcasting regulation is moving from authoritarian to a libertarian, a market-monopoly heavy media system (Masduki, 2008).

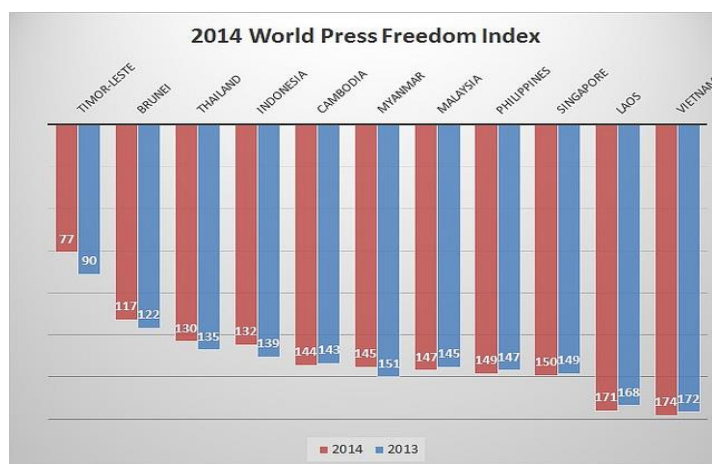
Journalists participating in SEAPA-conducted workshops on "Elections and the Media" in Jakarta (February 2014) and Phnom Penh (July 2013) resonance the challenges faced by the media in elections where the added pressure of raised political stakes also increase the challenge of independence, safety risks, and ethical issues of the profession. Journalistic skills are also put to the test, raising the need for more training on election coverage. As a result of libertarian press

system, political propaganda dominates electoral discourses, instead of a sober accounting of the track records and conduct of politicians and parties.

General election normally brings high tension that resulted in threats and attacks against journalists and civil society. In Indonesia, the failure of the Prabowo Subiyanto’s presidential candidature resulted in a ‘political warming up session’. Journalists and activists were injured when hundreds of Prabowo supporters conducted open mass rally in Jakarta. In general, ASEAN region is not a save area for journalist interested in political crisis coverings. With more than 14 journalists killed - and 10 confirmed as work-related - in 2013, the Philippines saw the second highest annual count of media killings in this region since 1986.

In summary, media in Southeast Asia are separated, either they serve the public or they serve leaders and journalist working environment is still in danger. In Thailand, the Philippines, Indonesia and Cambodia, the public is served. In contrast, the media in Singapore and Malaysia have tried to serve both governments. In most cases, journalists who work in the freer media countries face uncertainties, both internal and external pressures as their elected government or media owners still look for ways to lessen the media independent views and analysis.

To explain the changing level of press freedom index among ASEAN countries, we can see the summary of the RSF/RWB report below:



**Source:** <http://rsf.org/index2014>

RSF Press Freedom Index 2014			
2014 ranking	Country	2013 ranking	Change
130	Thailand	135	5 ↑
132	Indonesia	139	7 ↑
145	Myanmar	151	6 ↑
147	Malaysia	145	2 ↓
149	Philippines	147	2 ↓
150	Singapore	149	1 ↓

Azlan Zamhari / Malaysiakini

Source: [www.malaysiakini.com](http://www.malaysiakini.com)

The two tables illustrate dynamic situation of press freedom within ten members of ASEAN countries. The freedom of Indonesian press level as well as Thailand and Myanmar gradually increasing, while others decreased. This index is annually conducted by Reporters San/Without Borders. RWB or *Reporters Sans Frontières (RSF)*, is a France-based international non-profit, non-governmental organization that promotes and defends freedom of information and freedom of the press. The organization has consultant status at the United Nations.

The greatest challenge journalists have in the region –according to Chongkittavorn is to improve the quality of their reporting and strengthen their capacity for distributing independent news. Because only a minority of the several thousand working journalist throughout the region are considered competent, awareness needs to be heightened of what it means to be journalists, and that must happen through education. What is difficult to witness is that despite the region’s interdependence with the rest of the world and its economic openness—promoted by the regional governments—similar advances have not occurred within the region’s press.

Overall, the media situation in ASEAN remains mainly where it is: countries with relatively freer media remain overwhelmed with the problems of impunity for violence and politics-related control through threats and lawsuits. With more than 14 journalists killed - and 10 confirmed as work-related - in 2013, the Philippines saw the second highest annual count of media killings since 1986. On the other hand, those with restricted media environments remain unchanged as their politics. There may be big tendency of explicit censorship reported because media control has been institutionalized through self-censorship by newsroom or individual journalists who do not wish to risk their professions.

However, hopes of regional level advocacy are still weak because of the absence of official channels for engagement in ASEAN on which body has the mandate to address the issue. In SEAPA observation, unless there is a decisive shift towards transparency and to open up channels for civil society to engage the regional group, ASEAN will remain out of reach and irrelevant to its peoples even as the regional community is set to be launched at the beginning of 2015. From this opinion, I agree with the idea that ASEAN's potential as a regional stage to address press freedom should actively be promoted among citizens. It should initiate and start by media and journalist communities itself.

### **Roles of Journalist Associations**

Actually, there are many journalist associations formally-existed in this ASEAN region. In this opportunity, I will just look at SEAPA as an approach to briefly explaining roles of journalist associations on press freedom promotion and monitoring.

Since its establishment on 8th Day of November, 1998, in Bangkok, SEAPA is the first and the only one journalist association at ASEAN level. This alliance, to be called the Southeast Asian Press Alliance, was funded by 6 organizations which sent delegates to Bangkok 7–8 November 1998 for a seminar on 'Promoting and Monitoring Press Freedom in Southeast Asia'. It was understood that in the future this alliance may grow as other independent press freedom organizations seek to join. The SEAPA members are: Alliance of Independent Journalists (AJI), Indonesia; Institute for Studies in the Free Flow of Information, Indonesia; Center for Media Freedom and Responsibility (CMFR), the Philippines; Philippine Center for Investigative Journalism; Reporters Association of Thailand.

SEAPA is a non-profit, non-governmental organization based in Bangkok, campaigning for genuine press freedom in Southeast Asia. It aims to unite independent journalists' and press-related organizations in the region into a force for advocacy and mutual protection. SEAPA's goal is to provide a forum for the defense of press freedom, giving protection to journalists and nurturing an environment where free expression, transparency, pluralism and a responsible media culture can flourish (SEAPA, 2014).

Membership in the Alliance is open to independent press advocacy organizations with a proven track record of working for press freedom. SEAPA's founding members—from Indonesia, the Philippines and Thailand—are well-known as established press advocacy organizations in Southeast Asia. Together they bring an innovative regional perspective to the practice of journalism and a vision of a Southeast Asia that is the home of a free and vibrant media. It issues timely reports on free-expression violations in the region and runs a website that

is a source for information and analysis on the press in the region. It supports capacity-building efforts of press organizations in ASEAN, predominantly Cambodia, Myanmar and East Timor, and independent press initiatives in Malaysia.

Among the activities and projects envisioned by the alliance are: conduct thorough research and documentation of individual cases of attacks on journalists and threats to press freedom in the ten member countries of the Association of Southeast Asian Nations and it be shared within the alliance and with the worldwide network of free expression advocates gathered under the umbrella of the International Freedom of Expression Exchange (IFEX). Responding to abuses of press freedom, the alliance is undertaken a variety of actions such as issuing formal letters of concern and protest, making direct representations to governments on behalf of journalists and conducting in-depth research missions in the field.

The alliance is also encourage governments in Southeast Asia to reform repressive media laws, relax restrictions on the exercise of free expression through the media and advocates other positions consistent with our mutual interest in the development of a free and responsible Southeast Asian media culture. In case of freedom of information access or FOI, SEAPA do interact with ASEAN Secretary General and individuals, broader engagement with the local and regional civil society to find strategic entry into ASEAN and other institution, build up regularly a network of regional stakeholders in the media sector among legislators and lawyers to promote and protect FOE/FOI, build capacity of regional media to monitor and report on ASEAN human right, plan a follow-up survey on FOI situation within the region (Chaipatt, 2010).

Apart from 'structural-vertical advocacy model', SEAPA also adopts cultural grass-roots model of advocacy. In this way, SEAPA calls civil society throughout ASEAN to link and highlight press freedom and FOI issues to promote sustainable development and disaster prevention, for example; free press and political opposition served as early warning systems to environmental disaster and conflict prevention. As a member of SEAPA, AJI in Indonesia monitors the changing media landscape, and initiate protection of public interest in respond to the transition of analogue media to cyberspace, including role of bloggers in online debates, internet governance, increasing challenge to media. At international stage, AJI as well as other journalist associations engage with international journalist community including the International Federation of Journalist (IFJ) and of course, ASEAN governments (with alliance of NGOs) to improve Human Rights standards where possible.

To attract their relation to public at large, SEAPA members establish their own online portals. Public can easily access vibrant data and information regarding current organizational activities as well as publication of media issues

produced by members. For instance, from [www.aji.org](http://www.aji.org) we can freely download a report of media research, recent information on Indonesian press climate and other related-interesting books. A similar interesting resources can also be accessed on both: Philippines center for investigative journalism (PCIJ) website or Thailand journalist association or TJA weblink.

At SEAPA level, there is an 'ALERT'. An 'alert' is a news report of an incident of a violation of the right to freedom of opinion and expression (FOE), usually focusing on violations related to the press or media. Alerts are produced from verified incidents by the SEAPA secretariat or by member and partner organizations and individuals, who are part of the alerts network. SEAPA began issuing Alerts on incidents related to press freedom violations with the 2003 government raid on the offices of *Malaysiakini*. The production of alerts has been sustained over the years and become a core element of SEAPA's work.

Overall, roles of journalist associations in promoting and maintaining press freedom vary and depending on the existing political and press system. It ranging from improvement of public awareness of press freedom as an element of human right through rigorous publications and public petitions, advocate legal approach to protect the freedom up to mutual networking among stakeholders both nationally and internationally.

Through SEAPA, independent journalists can band together to promote and protect one another. The press in Burma, Vietnam, Malaysia, Laos, Singapore, and Cambodia continue to operate under severe constraints. They are either directly controlled by their governments or forced to labor under a regime of threat and self-censorship. Instead of relying on protests lodged from outside the region, SEAPA tried to expand the scope of regional press freedom in a spirit of solidarity and respect for their colleagues (Neumann, 1999).

Up to 2014, as a result of SEAPA's regional movements, there are better tendencies in ASEAN society, NGO and journalist associations to actively promote legal environment for the advocacy of freedom of expression and information access, advocate a conducive environment for free press and vibrant civil society's movements to enhance government's accountability and transparency, enriching the role of internet for public interest.



## References

- ASEAN Secretariat, *ASEAN Political-Security Community Blue Print*, Jakarta: ASEAN Secretariat, 2009. Print
- Chaipatt, Kulachada, *State of Freedom of Information in Southeast Asia*, <http://www.alternative-regionalisms.org>, 2010 (accessed on September 6, 2014).
- Chongkittavorn, Kavi, *Southeast Asian Media Struggle to be Free*, <http://www.nieman.harvard.edu/reports/article/101370/Southeast-Asian-Media-Struggle-to-be-Free.aspx>, 2002 (accessed on September 6, 2014)
- C. Merrill, John, *The Dialectic in Journalism, Toward a Responsible Use of Press Freedom*, USA: Louisiana State University Press, 1993. Print
- Masduki, *Broadcasting Regulation, From Authoritarian to Liberal System*, Yogyakarta: Institute for Islamic and Social Studies, 2008. Print
- Masduki, *New Media and Democratic Culture, A Study of Anti-graft Facebook Movement 2009 as a Non-Party Political Movement*, Singapore: AMIC Annual Conference, 2010. Print
- McChesney, Robert, *Critical Studies in Media Commercialism*, USA: Oxford University Press, 2000. Print
- Neumann, Linn, *Freedom Takes Hold: ASEAN journalism in transition*, <http://www.refworld.org/docid/47c567c2c.html>, 1999 [accessed 6 September 2014]
- Razak, Abdul, *Mass Media Laws and Regulations in Indonesia*, Singapore: AMIC, 2000. Print
- SEAPA, *Media at Political Crossroads, South East Asia Press Freedom Regional Overview in 2014*, 2014, <http://www.fz.com/content/media-political-crossroads>[Accessed on September 6, 2014]
- Siebert, Fred, *Four Theories of The Press*, USA: University of Illinois Press, 1956. Print
- Wojciech Sadurski, *Freedom of the Press and General Theory of Freedom of Speech*, Sydney: Sydney Law School Research Paper No. 11/57, 2011
- Website sources: Accessed on September 6, 2014
- [www.un.org](http://www.un.org)
- [www.aji.org](http://www.aji.org)
- [www.malaysiakini.com](http://www.malaysiakini.com)
- [www.rsf.org](http://www.rsf.org)
- [www.seapa.org](http://www.seapa.org)

# **ENCOURAGING TRANSACTIONS TOWARDS ASEAN SECURITY COMMUNITY**

**STANISLAUS RISADI APRESIAN**

UNIVERSITAS KATOLIK PARAHYANGAN



## ENCOURAGING TRANSACTIONS TOWARDS ASEAN SECURITY COMMUNITY

**Stanislaus Risadi Apresian**

### **Abstract**

*ASEAN plans to establish Security Community in 2015. There are two types of security community, which are amalgamated and pluralistic. Considering that diversity and the principle of non-interference exist in ASEAN, this region will form a pluralistic security community, which still retains the legal independence of separate governments. During the attempt to attain security community, ASEAN still faces many obstacles to deepen integration among its members. The fact that intra-ASEAN trade is lower than extra-ASEAN trade is one of the undoubted realities that occur in ASEAN today. This fact shows the level of interdependence among ASEAN member states is still low, whereas interdependence among ASEAN member states is needed to attain integration as the main foundation toward security community. Based on transactionalism approach introduced by Deutsch, security community can be well established by encouraging transactions between people to build a sense of community. Transactions can be in the form of international trade, travel, migration, cultural exchanges, student exchanges, or mail correspondence. As a matter of fact, ASEAN integration process is lack of the transactions and the involvement of people, so that the agenda to establish ASEAN Security Community (ASC) is more elite-centered than people-centered. As a result, ASEAN as community-building institution has not optimally played its role to involve people and to encourage transactions between people in ASEAN. ASC is planned to establish in 2015, yet security community without a sense of community and interdependence will only be a symbol of elite agreement.*

*Keywords: ASEAN, pluralistic security community, integration, interdependence, transactions*

## **Introduction**

ASEAN is a very diverse region in terms of their colonial heritage, post-colonial political setting, level of economic development, ethnic composition and linguistic/cultural make-up (Acharya, *Collective Identity* 206). That diversity complicates the effort of ASEAN people to attain a security community. A historian named D. G. E. Hall described Southeast Asia as a “chaos of races and languages”, so that it was hardly an ideal setting for regional cooperation (Acharya, *Collective Identity* 206). ASEAN people have to face a challenge to manage their diversity while trying to attain a security community. Faced with such situation, it is interesting to observe the possibility of ASEAN in attaining a security community. On one hand, some people are optimistic that ASEAN will attain a security community; on the other hand, many people are still pessimistic of this to happen.

Attaining a security community is not merely the responsibility and the job of ASEAN as an institution. ASEAN is considered as community-building institution that is able to manage and decide some policies or measures related to the establishment of a security community. Yet, the establishment of a security community needs to involve ASEAN people in every process of it. There is another approach offered by Deutsch to deal with the project on security communities. In effort to develop a security community, the Deutschian project on the same issue appears and offers an approach that analyze the process of social interactions in its broadest aspect, rather than with the creation and maintenance of specific multilateral institutions (Acharya, *Constructing a Security* 22). Transactions between people in ASEAN become an important thing as it can build a sense of community needed for establishing a security community. Transactions have various types of exchanges such as symbolic, economic, material, political, and technological (Adler and Barnett 41).

ASEAN is facing some obstacles to establish ASC. The low level of transactions is one of these obstacles. Acharya in his work also mentioned the same concern about the emergence and consolidation of ASEAN which is in a climate of low level of intra-regional transactions and interdependence (Acharya, *Collective Identity* 205). Encouraging transactions among ASEAN members is important to establish a security community. This article is based on two main research questions, to what extent does the level of transactions occur in the relations between ASEAN member countries and how does it affect the establishment of the ASEAN Security Community by 2015?

## **A Security Community and Southeast Asia**

Every country in the world certainly avoids wars in order to obtain peace. As a matter of fact, several wars have occurred some are still going on. The history

of human kind closely related to wars. Mankind has experienced two world wars in the previous century that brought world into mass destructions and catastrophic loss of life. A war is so dangerous, so that it must be eliminated and put it beyond serious possibility (Deutsch et al. 122). At the moment, wars are still going on in our world and what is happening in Gaza is one of the examples. Establishing a security community is one of the several ways to avoid or to eliminate wars among countries.

Deutsch et al. defined a security community as “a group of people which has become integrated” (123). This is a simple definition of security community by Deutsch et al.. Those people belong in a group from different countries and are not limited only from the same border of one country. In attempt to define what security community is, Deutsch explained three concepts of integration, a sense of community and peaceful change.

In the simple definition above, Deutsch et al. mentioned about integration that means “the attainment, within a territory, of a “sense of community” and of institutions and practices strong enough and widespread enough to assure, for a “long” time, dependable expectations of “peaceful change” among its population” (123). It is interesting when Deutsch et al. mentioned a sense of community in their definition about integration, because thenm we could draw a conclusion that a sense of community is an important thing to have to achive integration.

Deutsch et al. explain the sense of community as “a belief on the part of individuals in a group that they have come to agreement on at least this one point: that common social problems must and can be resolved by processes of peaceful change” (123). At the end of the definition of the sense of community above, Deutsch et al. insert peaceful change concept as an important part of processes of change. A group has to face many problems in the relations and the dynamics between individuals. Peaceful change means “the resolution of social problems, normally by institutionalized procedures, without resort to large-scale physical force” (Deutsch et al. 124). A change is sometimes necessary to solve those problems. This is why peaceful change should be maintained to avoid conflict among members. In result, every change that will be experienced by that group is not followed by phisical conflict and the group members will settle their dispute in some other way (Deutsch et al. 124).

In further discussion about security community, there are two types of Security Community. They are amalgamated and pluralistic. The explanation of these two types can be found in Deutsch’s et al. work:

By AMALGAMATION we mean the formal merger of two or more previously independent units into a single larger unit, with some type of common government after amalgamation. This common government may be unitary or federal. The United States today is an example of the amalgamated type. It became a single

governmental unit by the formal merger of several formerly independent units. It has one supreme decision making center.

The PLURALISTIC security-community, on the other hand, retains the legal independence of separate governments. The combined territory of the United States and Canada is an example of the pluralistic type. Its two separate governmental units form a security-community without being merged. It has two supreme decision-making centers. Where amalgamation occurs without integration, of course a security community does not exist (Deutsch et al. 124).

ASEAN consists of ten countries. There is no supranational authority as a decision-making center in the ASEAN structure. The ten countries retain the legal independence of separate governments. Decisions taken by ASEAN are decided by ten supreme decision-making centers. For an example, decisions related to ASEAN Political and Security Community become the responsibility of ASEAN Political-Security Community Council which comprises ASEAN Foreign Ministers (asean.org, "ASEAN Structure"). Considering that fact, the type of security community in ASEAN can be categorized as a pluralistic security community. Acharya defined a pluralistic security community as "a transnational region comprised of sovereign states whose people maintain dependable expectations of peaceful change" (Acharya, *Constructing a Security* 16).

It is important for ASEAN to form security community and the main reason is to avoid disputes ended with war. Southeast Asia region faces conflict and dispute among ASEAN Countries as the dynamics of the relations among them. Confrontation between Indonesia and Malaysia in 1963 is an example of conflicts in this region. The confrontation was caused by the formation of the Federation of Malaysia consisting of Malaya, Singapore, Sabah and Sarawak. Soekarno, the former President of Indonesia, was against this idea of the establishment of Malaysia. He considered this as a British neo-colonial design (Emmers 11). Since the establishment of ASEAN on 8 August 1967, the security in this region remains stable as five founding countries of ASEAN, Indonesia, Malaysia, Singapore, Thailand, and The Philippines, had not involved in a physical conflict or war against each other (Acharya, *Constructing a Security* 5). Notwithstanding there has been no serious war between its members since the establishment of ASEAN, ASEAN leaders and the society should be aware of potentials for war to happen. What happen in the *Preah Vihear* temple and its surrounding area in 2011 can be one of the examples. Cambodia and Thailand came into dispute of 4.6 square kilometers area around *Preah Vihear* temple occupied by Cambodia and claimed by Thailand (Chheang 4).

To form a security community is not an simple thing to do. At least there has to be three essential conditions for the success of a pluralistic security-community.

The first of these was the compatibility of major values relevant to political decision-making. The second was the capacity of the participating political units or governments to respond to each other's needs, messages, and actions quickly, adequately, and without resort to violence....A third essential condition for a pluralistic security-community may be mutual predictability of behavior; this appears closely related to the foregoing. (Deutsch et al. 140)

Besides those three important conditions, communication and transaction are some other factors that influence the success of the establishment of a security community. Adler and Barnett are other scholars who put their interest in security community. They look into Deutsch's work that uses "pluralistic", "cybernetic" or "transactionalist" approach and argue that communication process and transaction flow between people become an important thing to instill a sense of community between people (7). By communicating to each other, people can think together, see together, and act together (7). Moreover, through transactions that can be in the form of trade, migration, tourism, cultural and educational exchanges, and the use of physical communication facilities, a social fabric is built not only among elites but also the masses, instilling in them a sense of community (7).

Without no concern on encouraging or maintaining communication and transaction between ASEAN people, three important conditions that appeared to be essential for the success of an pluralistic security-community such as the compatibility of major values, the capacity of giving respond to each other, and the mutual predictability of behavior will not exist. If those three conditions are not fulfilled, the establishment of security community in ASEAN may be unsuccessful. Even when ASPC formed in 2015, that security community will be a cracked security community which is lack of assurance of the future whether that community will involve in physical fight or choose diplomacy or negotiation to settle their disputes.

### **Transactions in ASEAN**

Considering the importance of communication and transactions in establishing security community, it will be challenging to investigate to what extent that communication and transaction occur in ASEAN. Even though this article observes the establishment of a security community in ASEAN, this article will not only trace some transactions related to security cooperation between ASEAN countries. Yalem contends that security communities require a 'high degree of political and economic integration as a necessary precondition of peaceful relationships' (qtd. in Acharya, *Constructing a Security* 32). For that reason, this article will also trace some transactions beyond security cooperation. Transactions according to Adler and Barnett can be in the form of trade,



migration, tourism, cultural and educational exchanges, and the use of physical communication facilities (7). This article will trace some of those transactions to measure the level of transactions between people in ASEAN.

Trade, as a transaction form, is important since it is a way for people to get what they need in a society. When one person sells something and another person purchases it, transaction has occurred. Transactions also occur in Southeast Asia region. This article will find out how intensive the transaction of trade between ten ASEAN countries occur. Based on data obtained from ASEAN Community in Figures, intra-ASEAN trade is still low compared to extra-ASEAN trade. This trend indicates that ASEAN countries are more dependent on non ASEAN countries than on ASEAN itself, whereas interdependence among members is important to facilitate the development of security community (Acharya, *Constructing a Security* 32). The comparison between intra-ASEAN trade and extra-ASEAN trade is presented in table 1.

**Table 1: ASEAN: Total Trade (in US\$ million)**

<b>Indicator</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Total Trade	1.536.877	2.009.116	2.388.444	2.476.427
Intra-ASEAN Trade	376.213	511.020	598.377	602.048
Extra-ASEAN Trade	1.160.664	1.498.096	1.790.067	1.874.379

*Source: ASEAN Community in Figures 2013 (ASEAN Secretariat, "ACIF 2013" 9)*

Tourism, another form of transactions besides trade, provides opportunity to ASEAN people to interact with each other. This cross-border activity can also be an instrument to encourage direct interaction and communication between people of ASEAN. Through the data obtained from ASEAN Community in Figures, the number of ASEAN tourists who travel around Southeast Asia region are quite a lot (see table 2). Easy access to flight and cheap airfare tickets are the main factors of this success, making people are able to travel from one country to another easily. Interestingly, several international airfare tickets to some ASEAN countries are cheaper than domestic airfare tickets. This phenomenon enables ASEAN people to go abroad around Southeast Asia for travelling. Moreover, visa-free travel to Myanmar for all ordinary passport holder of Asean should be implemented by the end of this year as Myanmar has already signed visa-free agreements with four of the 10 Asean members as of January 2014. Those four countries are Cambodia, Laos, The Philippines, and Vietnam (mofa.gov.mm).

The negotiations with six other countries are still on going. This means that visa-free travel will apply to ten member countries of ASEAN this year.

**Table 2: ASEAN: Tourist Arrivals, by country of origin**

Country of Origin	Level (in thousands)		Percent Share to Total	
	2011	2012	2011	2012
Intra-ASEAN	37.733	39.845	46.5	44.7
EU	7.355	8.079	9.1	9.1
China	7.316	9.283	9.0	10.4
Australia	3.926	4.060	4.8	4.5
Japan	3.664	4.275	4.5	4.8
ROK	3.862	4.011	4.8	4.5
USA	2.838	2.984	3.5	3.3
India	2.711	2.840	3.3	3.2
Rest of the World	11.853	14.886	14.6	16.7
Total ASEAN	81.229	89.225	100.0	100.0

**Source: ASEAN Community in Figures 2013 (ASEAN Secretariat, “ACIF 2013” 41)**

According to the data in table 2, there were approximately 46.5 % intra-ASEAN tourists in 2011. In the next year, this percentage was decreasing to 44.7%. Despite of this condition, the number of intra-ASEAN tourists was still considered as a sizeable percentage. This sizeable percentage means that transactions of ASEAN people were high in tourism sector. However, it is too early to draw a conclusion from the data. The percentage was sizeable, but the distribution of intra-ASEAN tourists was centralized only in several countries such as Malaysia, Thailand, Singapore, and Indonesia (see table 3). There are many factors influencing this trend such as tourism infrastructure, the availability of flight, and tourism management by the government. In result, the level of transactions in tourism sector is high only in several countries. That is another problem to be managed.

**Table 3: Tourist arrivals in ASEAN (in thousand)**

Country	2010			2011			2012		
	Intra-ASEAN	Extra-ASEAN	Total	Intra-ASEAN	Extra-ASEAN	Total	Intra-ASEAN	Extra-ASEAN	Total
Brunei Darussalam	77.7	79.7	157.5	109.9	104.4	214.3	124.2	117.9	209.1
Cambodia	692.8	1,468.8	2,161.6	853.2	1,655.1	2,508.3	1,101.1	1,780.8	3,584.3
Indonesia	2,101.8	4,221.9	6,323.7	2,338.5	4,664.4	7,002.9	3,258.5	4,391.2	8,044.5
Lao PDR	1,611.0	397.4	2,008.4	1,990.9	522.1	2,513.0	2,191.2	532.3	3,330.1
Malaysia	18,386.4	5,259.8	23,646.2	18,937.2	5,640.0	24,577.2	18,885.3	5,829.0	25,032.7
Myanmar	524.0	238.5	762.5	512.3	279.2	791.5	100.4	716.0	1,059.0
The Philippines	255.6	2,761.5	3,017.1	298.2	3,222.3	3,520.5	331.7	3,585.8	4,272.8
Singapore	3,650.9	6,030.3	9,681.3	4,779.6	6,859.0	11,638.7	5,372.2	7,799.1	14,491.2
Thailand	4,074.7	10,075.2	14,149.8	4,534.2	11,402.2	15,936.4	5,529.9	13,568.4	22,353.9
Viet Nam	318.9	3,453.3	3,772.3	465.9	4,584.0	5,049.9	838.4	5,175.6	6,847.7
ASEAN	31,693.8	33,986.5	65,680.3	34,820.0	38,932.7	73,752.6	37,732.9	43,496.1	89,225.2

*Source: ASEAN Tourism Statistics Database (compiled from data submissions, publications/reports, and/or websites of national tourism organizations/agencies, immigration authorities, and/or national statistical offices) (asean.org, "ASEAN Statistics").*

Nowadays people use advanced technology to communicate to each other. Since internet was invented, it enables people to communicate easily beyond time and space. The use of physical communication facilities such as smart phones to access electronic mail and social media (facebook, twitter, path) can encourage transactions in the form of communication between people. This progress on communication technology is supposed to encourage transactions of communication in ASEAN. In fact, it does not occur significantly in ASEAN as only limited people have access to internet. The condition in several countries like Cambodia, Lao PDR, Myanmar, Vietnam, and The Philippines are not as good as that in the other ASEAN Countries. There are less than 100 persons out of 1000 persons having access to internet in Cambodia, Lao PDR, Myanmar, Vietnam,

and The Philippines (see table 4). As a result, the level of transactions in the form of communication by using physical communication facilities is still low.

**Table 4: ASEAN: Internet Subscribers/Users per 1000 persons**

<b>Country</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Brunei Darussalam	125.9	128.0	131.3
Cambodia	22.4	31.0	49.4
Indonesia	109.2	122.8	153.6
Lao PDR	70.0	90.0	107.5
Malaysia	563.0	610.0	217.0
Myanmar	0.7	0.8	1.0
The Philippines	46.0	54.1	63.7
Singapore	488.9	482.0	NA
Thailand	22.4	23.7	26.5
Viet Nam	41.9	46.5	53.8
<b>ASEAN</b>	<b>91.4</b>	<b>101.6</b>	<b>-</b>

Source: ASEAN Community in Figures 2013 (ASEAN Secretariat, “ACIF 2013” 44)

The last but not least, this article will trace the movement of migrants from one country to other countries in ASEAN as another example of transactions. The pattern of intra-ASEAN migration can be found out by accessing “Where We’re From” Interactive App provided by International Organization for Migration (iom.int). Based on the data retrieved, the number of intra-ASEAN migrants is sizeable but the problem is just the same as the problem that happens in tourism sector as mentioned previously. The problem is that the movement of migrants is only centralized in few countries such as Malaysia, Singapore, and Thailand (see table 5). Those three countries become the main destinations of migrants in ASEAN as their economic condition is more developed and stable there. They are like magnets for the migrants from other ASEAN member countries. Even when ASEAN achieves ASEAN Economic Community (AEC) in 2015 and transforms into a region with free movement of skilled labor, the pattern of migrant movement will be centralized in only few countries will be the same

**Table 5: The Pattern of Intra-ASEAN Migration**

		Destination Country									
		Brunei Darussalam	Cambodia	Indonesia	Lao PDR	Malaysia	Myanmar	The Philippines	Singapore	Thailand	Viet Nam
Origin Country	Brunei Darussalam	-	-	-	-	-	-	-	-	-	-
	Cambodia	-	-	-	909	-	-	232	-	49,750	-
	Indonesia	-	505	-	-	1,397,684	-	5,865	102,332	1,459	-
	Lao PDR	-	1,235	-	-	-	-	-	-	77,443	-
	Malaysia	-	816	-	-	-	-	394	1,060,628	3,429	-
	Myanmar	-	247	-	143	17,034	-	415	-	288,487	-
	The Philippines	-	728	-	-	277,444	-	-	-	3,360	-
	Singapore	-	581	-	-	103,318	-	288	-	2,134	-
	Thailand	-	142,767	-	916	79,604	-	150	-	-	-
	Viet Nam	-	173,694	-	8,167	-	-	748	-	22,156	-

Source: International Organization for Migration, “Where We’re From” Interactive App (iom.int). The data used by IOM is based on the World Bank data in 2010.

### **The Relations between the Level of Transactions and the Establishment of ASEAN Security Community**

Establishing a security community within Southeast Asia region is already in progress right now. In other words, ASEAN member countries are seeking for peace through the establishment of a security community. The main point within a security community is the emergence of real assurance that the members of the community will not fight each other physically, but they will settle their dispute by peaceful means (Vesa 19). Notwithstanding there has been no war on a large scale between ASEAN members since the establishment of ASEAN, ASEAN countries still faces potential wars between members that always haunt them. The dispute over border seems to be the problems that often appear to trigger conflict between ASEAN countries. Considering that fact, ASEAN countries need real assurance to settle every dispute through peaceful means and to avoid war.

**Table 6: Overview of Transactions in ASEAN**

<b>Form of Transaction</b>	<b>The Level of Transactions</b>
Trade	Low (intra-ASEAN trade is lower than extra-ASEAN)
Tourism	High (centralized in Malaysia, Thailand, Singapore and Indonesia)
Migration	Medium (centralized in Malaysia, Thailand, and Singapore)
The Use of Physical Communication Facilities	Low (only limited people have access to internet)

By tracing several types of transactions like trade, the movement of intra-ASEAN tourists, the movement of migrants, and communication by using physical communication facilities, it can be seen that the transactions occurring in ASEAN are still low in general (see table 6). Even though the intensity of transactions for the movement of intra-ASEAN tourists was high, but the movement was centralized in a few countries. What happened in the movement of migrants was also similar. The movement of migrants was centralized in more developed ASEAN countries. In result, transactions only occurred in few countries. This article then tries to find out the effect of this condition to the establishment of a security community in ASEAN.

Integration is the main noteworthy element in establishing a security community. Without the presence of integration in ASEAN, establishing a security community becomes an impossible mission to do. Integration can be well established if a sense of community occurs within a group of people. Encouraging transactions among people within a group can build a social fabric which is not only among elites but also the masses, instilling in them a sense of community (Adler and Barnett 7). Consequently, the success of the establishment of a security community in ASEAN depends on how intensive the transactions happen to build a sense of community that will lead to integration process. Unfortunately, the consciousness of belonging to ASEAN has not yet reached the stage at a certain level which people of this region can say and truly feel that they are part of Southeast Asians or people of ASEAN (Severino, 103).

The findings of this article clearly inform that the transactions among ASEAN people are still low. It will obstruct the integration process as ASEAN people have not yet build a sense of community among them, even only limited people who know and understand well what ASEAN Community is. Japan-

ASEAN Integration Fund (JAIF) conducted a general public survey in the capital cities of the ASEAN Member States in 2012. The result was that 81%-surveyed people were familiar with the ASEAN name, and 76% lacked a basic understanding about ASEAN (ASEAN Secretariat, "Surveys on ASEAN" 1). Ironically, the people who had good understanding about ASEAN Community were less than 10% (ASEAN Secretariat, "Surveys on ASEAN" 1). This survey was conducted in the capital cities. If the survey was conducted in peripheral areas of the states, maybe the result will be even worse.

ASEAN people need to encourage their transactions, so that the number of ASEAN people who know and understand well about ASEAN community will increase. An analogy of the relations with neighbors will explain why encouraging transactions is needed. Neighbors may be pleasant or be annoying. It depends on how we interact with them. If communication occurs regularly, we will know and understand our neighbors and we are much less likely to fight them over the garden fence (University of Portsmouth). This analogy then can explain why ASEAN people should encourage their transactions. By encouraging transactions, ASEAN people will know and understand each other. If this condition occurs, they will be much less likely to solve any disputes in peaceful ways. In other words, ASEAN people will have a sense of community when those conditions occur.

Even though this article explains the establishment of ASEAN security community by using transactionalism approach, it does not mean to make diffusion between institution and people as the core elements in establishing ASEAN security community. On the one hand, to establish a security community needs to encourage transactions among ASEAN people. On the other hand, ASEAN can also play its role as a community-building institution to formulate several measures or policies to encourage transactions among its people. Relying on ASEAN leaders to make some measures to establish a security community without involving people will be an implausible thing to do. Nevertheless, encouraging transactions among ASEAN people without support or control by ASEAN as a community-building institution is ineffective as well. In fact, those two elements complement each other. Both of them are important elements to establish a security community.

### **Concluding Remarks**

This article tries to trace the level of the transactions occurring in ASEAN in the form of trade, the movement of intra-ASEAN tourists, the movement of migrants, and communication by using physical communication facilities. The level of transactions is closely related to the sense of community building but apparently this article finds that the level of transactions in ASEAN is still low in general. Even though the level of transaction is high in tourism sector, the

transactions are only centralized in few countries. The low level of transactions and centralized transactions are two characteristics that now can describe the transactions between ASEAN people. This situation obstructs ASEAN to establish the security community since its people are lack of consciousness of belonging to ASEAN.

The type of security community in ASEAN can be categorized as a pluralistic security community since there is no supranational authority as a decision-making center in the ASEAN structure. At least there has to be three essential conditions for the success of a pluralistic security-community. Those are the compatibility of major values relevant to political decision-making, the capacity of the participating political units or governments to respond to each other, and the mutual predictability of behavior.

For the first and the second essential conditions or requirements do not seem to be serious problems for ASEAN. Non interference is a major value relevant to political decision-making in ASEAN. It can be the basis guideline for the relations among ASEAN countries. The next, ASEAN also has no serious problem to respond to each other's needs, messages, and actions quickly, adequately, and without resort to violence. Helping other ASEAN countries when natural disaster hits one of them is one example of it. The third requirements seems difficult to attain. To build mutual predictability of behavior needs the emergence of the sense of community among ASEAN people. Nowadays, the sense of community in ASEAN has not emerged well because there is only few ASEAN people who know and understand well what ASEAN is.

ASEAN citizens need to encourage transactions among them in order to emerge "we feeling" as ASEAN people. Moreover, the transactions can encourage mutual understanding and mutual predictability of behavior among ASEAN people. If those situations happen, ASEAN people will not fight each other physically to solve disputes. An effort to encourage transactions should get support from ASEAN as community-building institution. It can accelerate transactions among ASEAN people. ASEAN can make some policies and regulations to encourage transactions.

## **Reference**

- Acharya, Amitav. "Collective identity and conflict management in Southeast Asia." Adler, Emanuel and Michael Barnett. Security Communities. Cambridge: Cambridge University Press, 1998. 198-227.
- . Constructing a Security Community in Southeast Asia. New York: Routledge, 2001.
- Adler, Emanuel and Michael Barnett. Security Communities. Cambridge: Cambridge University Press, 1998.



- ASEAN Secretariat. ASEAN Community in Figures 2013. Annual Report. Jakarta: ASEAN Secretariat, 2014.
- . ASEAN Political-Security Community Blueprint. Jakarta: ASEAN Secretariat, 2009.
  - . "ASEAN Statistics." 14 January 2014. [www.asean.org](http://www.asean.org). 26 August 2014 <<http://www.asean.org/images/resources/2014/Jan/StatisticUpdate28Jan/Tourism%20Update/Table%2028.pdf>>.
  - . "ASEAN Structure." n.d. [www.asean.org](http://www.asean.org). 20 August 2014 <<http://www.asean.org/images/Community/ASEAN/ASEANStructure/List%20of%20APSC%20Council%20-%20May%202014.pdf>>.
  - . Surveys on ASEAN Community Building Efforts 2012. Publication Data. Jakarta: ASEAN Secretariat, 2013.
- Chheang, Vannarith. Cambodian Security and Defence Policy. NIDS Joint Research Series No. 6. Tokyo: The National Institute for Defence Studies, 2011.
- Deutsch et al., Karl W. "Political Community and the North Atlantic Area." Nelsen, Brent F. and Alexander Stubb. The European Union: Reading on the Theory and Practice of European Integration. London: Lynne Rienner Publishers, n.d. 121-143.
- Emmers, Ralf. Cooperative Security and the Balance of Power in ASEAN and the ARF. London: RoutledgeCurzon, 2003.
- International Organization for Migration. World Migration. 2014. 1 September 2014 <<http://www.iom.int/cms/en/sites/iom/home/about-migration/world-migration.html>>.
- MOFA Myanmar. "MOFA Myanmar." 2014. [www.mofa.gov.mm](http://www.mofa.gov.mm). 14 September 2014 <<http://www.mofa.gov.mm/wp-content/uploads/2014/01/List-of-Countries-Having-Bilateral-Visa-Waiver-Agreement-with-Myanmar.pdf>>.
- Severino, Rodolfo C. ASEAN. Singapore: ISEAS Publications, 2008.
- "University of Portsmouth." 2013. European Studies. 5 September 2014 <<http://hum.port.ac.uk/europeanstudieshub/wp-content/uploads/2013/05/module-4-extract-4-Functionalism-and-Transactionalism.pdf>>.
- Vesa, Unto. "Prospects of Security Communities: On The Relevance of Karl W. Deutsch's Contribution." Peace Research 31, No. 1 (1999): 18-25.

# **THE POLITICS OF NON-GOVERNMENT ORGANIZATIONS' INVOLVEMENT IN ASEAN: AN INDONESIAN PERSPECTIVE**

**RANDY WIRASTA NANDYATAMA, ATIN PRABANDARI &  
AHMAD RIZKY M. UMAR.**

UNIVERSITAS GADJAH MADA



# **THE POLITICS OF NON-GOVERNMENT ORGANIZATIONS' INVOLVEMENT IN ASEAN: AN INDONESIAN PERSPECTIVE\***

**Randy Wirasta Nandyatama**

Director, ASEAN Studies Center, Universitas Gadjah Mada

**Atin Prabandari**

Lecturer, Department of International Relations, Universitas Gadjah Mada

**Ahmad Rizky Mardhatillah Umar**

Research Staff, ASEAN Studies Center, Universitas Gadjah Mada

## **Abstract**

This paper is aimed at mapping trajectory for stakeholder's involvement in ASEAN. Mainstream studies on ASEAN Regionalism have been neglecting the role of non-state actors, particularly Non-Government Organizations (NGOs) in ASEAN, because of state domination in the regional processes. However, Since ASEAN put 'people-oriented' term in its Charter, there have been attempts from civil society to get involved at ASEAN regionalism processes and taking part at some crucial regional issues. This paper, by using Antonio Gramsci's concept of State and Civil Society, attempts to draw Non-Governmental Organizations' involvement in advocating regional issues in ASEAN by taking a case study of Indonesian Human Rights NGOs. Since 2009, Indonesian NGOs have been involved in the establishment of ASEAN Intergovernmental Commission of Human Rights (AICHR) and later the drafting of ASEAN Human Rights Declaration (AHRD). However, despites of its leading role in advocating Human Rights issues in ASEAN, NGOs involvement in ASEAN was also challenged by several factors related to state domination and ASEAN's exclusive nature, as well as inter-NGOs competitions in the national level. These dynamic has made ASEAN, to some extent, become a site for contestation of interests between state and non-state actors in Southeast Asia.

**Keywords:** ASEAN, Non-Governmental Organizations, Human Rights, Contestation of Interests, Indonesia

## INTRODUCTION

RECENT developments in Southeast Asian integration processes have embraced a new term: ASEAN Community. Since the second ASEAN Summit in Bali, September 2003, all ASEAN member states have agreed to establish a regional community in the region by 2015. This political initiative was followed by series of talks and negotiations that led to the signature of ASEAN Community Blueprint (2007) and subsequently the ASEAN Charter (2009), as well as the the establishment of many regional institutions, such as the ASEAN Intergovernmental Commission of Human Rights (AICHR) and several Ministerial Meetings. These developments marked the transformation of regionalism in Southeast Asia.

Interestingly, the transformation of regionalism in Southeast Asia does not occur merely in the level of state. Since the early 2000s, there have been attempts from non-government organizations (NGOs) to participate in the regionalism processes (Chandra, 2009; Gerrard, 2014).<sup>43</sup> Started with ASEAN People's Assembly, which was jointly initiated by think-tank organizations under ASEAN-ISIS, several non-government organizations (NGOs) was then introduced the ASEAN Civil Society Conference/ASEAN People's Forum (ACSC/APF), which was designed to accommodate NGOs' interests and push it to wider regional level. Solidarity for Asian People's Advocacy (SAPA) was the most prominent organization involving in the establishment of conference, which afterwards conducted annually by alliance of NGOs in Southeast Asia (Gerrard, 2014). This 'society-based' form of regionalism also enriches the dynamics of integration and regionalism processes in Southeast Asia.

The development of ASEAN as a new type of 'regional governance' and the rise of people's participation regarding the regionalism process has raised some questions among ASEAN researchers: what does these phenomenons imply to ASEAN's future, particularly after the ASEAN Community established by 2015? To what extent can ASEAN accommodate the rising demands from non-government organizations into its formal decision-making processes? Is the rising NGO's participation in the regional level a prospect for the establishment of 'participatory regionalism' in Southeast Asia? (Acharya,2004). These

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<sup>43</sup> This paper will use the term 'non-government organisations' (abbreviated as NGOs) rather than 'civil society organisations'. Following Gerard Clarke's conceptualisation, NGOs are defined as "private, non-profit, professional organisations with a distinctive legal character, concerned with public welfare goals". On the other hand, civil society will be used in this paper in Gramscian terms, that is "a set of institutions through which society organised and represented itself autonomously from the state", hence broader than NGOs. This paper will extend the analysis of "civil society" in the regional level. See Gerard Clarke, *The Politics of NGOs in Southeast Asia: Participation and Protest in the Philippines* (London: Routledge, 1998), see also Martin Shaw, "Civil Society" in Lester Kurtz (ed.) *Encyclopaedia of Violence, Peace and Conflict* (San Diego: Academic Press, 1999).

questions remain unanswered by mainstream perspectives in ASEAN Studies, which mainly place the State as the only actor that shapes the regionalism process in Southeast Asia. While traditional realist approach seems to perceive ASEAN only as an arena to achieve peace and stability in the region, and therefore neglecting the role of non-state actors in the regionalism process, the liberals have been exaggeratingly locating ASEAN in the global economic transformation, thus put too much emphasis on economic liberalisation and regional market establishment.<sup>44</sup> Both of these perspectives has been limited in explaining why and how Non-Government Organizations attempt to participate in ASEAN and to what extent ASEAN can accommodate their interests in its formal institutional spaces.

Accordingly, it is important to analyze NGOs involvement in Southeast Asia in a more critical perspective. This paper attempts to understand how Indonesian NGOs advocate their interests within ASEAN institutional structure and to what extent ASEAN fit for their purposes. This paper argues that recent developments in ASEAN institutional formation and the rise of civil society in the region portray what Antonio Gramsci called as 'war of position' (Gramsci, 1971). On one hand, it is true that ASEAN is still dominated by states, since it was originally designed as a forum for states who aimed to seek peace and stability during the Cold War era (Severino, 2010). However, on the other hand, the transformation of regionalism which makes the cooperation goes wider has also contributed to the establishment of 'political space' that enables non-state actors to engage in the regional processes (Keating, 2003). The establishment of the 'political space', which goes hand-in-hand with the transformation of ASEAN institutions and mechanismssubsequently transforms ASEAN as a site for 'contestation of interests' in Southeast Asia (Gerard, 2014). Therefore, it is arguably that the growing NGOs' involvement in ASEAN reflects the constitution of 'civil society' in the region that attempts to redefine regionalism in Southeast Asia. Challenge the 'political society' in the region.

This paper will explain the dynamics of NGOs' involvement in ASEAN by taking a case study on Indonesian NGOs who are advocating Human Rights issues in the region. The discussion will be divided into three parts. The first part will frame a theoretical foundation to explain NGOs involvement in Southeast Asia. The second part will map the 'structure of space' in ASEAN since the initiation of ASEAN Community. The third part will analyze how Indonesian

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<sup>44</sup>Discussions on theoretical perspectives on Southeast Asian regionalism, see Luqman-nul Hakim, *ASEAN: Konstruksi Regionalisme di Asia Tenggara* (Yogyakarta: Gadjah Mada University Press, forthcoming), Kelly Gerard, *ASEAN's Engagement of Civil Society* (Basingstoke: Palgrave, 2014), Amitav Acharya, *Constructing a Security Community in Southeast Asia* (London and New York: Routledge, 2003).

NGOs take part in the regionalism process with a particular focus on Human Rights issue.

### **ASEAN, “THE STATE”, AND CIVIL SOCIETY: THEORISING NON-GOVERNMENT ORGANIZATIONS’ INVOLVEMENT**

This paper intends to explain how and under what circumstances NGOs can involve in ASEAN. It is important to first understand the ‘nature’ of regionalism in Southeast Asia by tracing back the historical trajectory of ASEAN. Dates back to 1967, the birth of ASEAN cannot be separated from two historical contexts. *First*, the rising tension of the Cold War that had been in climax in decade of 1970s. Southeast Asia used to be an ideological battlefield between the US and The Soviet Union that was taken place in several Southeast Asian states. There had been several political turmoil’s that involved external forces, such as the independence Singapore, the Vietnam War, and Indonesia-Malaysia Confrontation. The Cold War background had made the internal situation in the region very vulnerable to open conflict. Against this backdrop, several Southeast Asian leaders were agreed to maintain Southeast Asia as a ‘neutral’ zone and avoid vulnerability of becoming ‘*thetrum politicum*’ between major political forces in world politics (Severino, 2010).

*Second*, there had been a tendency from Southeast Asian leaders to transform the conflict vulnerability into economic cooperation in ASEAN. Since 1970s, ASEAN member states have agreed to establish ASEAN Industrial Project (1971) as well as other investment projects that were aimed to create ‘fortress’ in the region (Hakim, *forthcoming*). Since that era, international relations in Southeast Asia has been marked by economic cooperation and it has gone further after five Southeast Asian states included in the ASEAN membership. It is important to understand the Southeast Asian relations, after its establishment, as an arena for state to cooperate and negotiate its ‘national interests’ (Acharya and Stubbs, 2006).

It is clear that the early establishment of ASEAN was predominantly based on preserving state’s interest and, therefore, maintaining peace and stability on that basis. State-centrism has thus been a nature in ASEAN’s institutional design and is preserved until present (Acharya and Stubbs, 2006; see also Beeson, 2009). This “state-centrist” nature constitutes a form of “political society” in Southeast Asia, which, according to Antonio Gramsci, organizes and coordinates political functions throughout the social formation of ASEAN regionalism. The “political society”, according to Gramsci, is a network of coercive apparatuses which are built upon political and legal institutional control (Thomas, 2009; see also Femia, 2000). The term “political society” is not similar to the State” –or in this case, “regional governance” – but instead forms one of the most fundamental aspects of the state: discipline and coercion.

According to Gramsci, the State is formed by entire apparatus that combines both discipline and consent, in order to fully control the society (Gramsci, 1971).<sup>45</sup> In this sense, the ASEAN member states serve as part of “political society” who controls the region by creating some sorts of “shared norms” that bound together all ASEAN Member States into a particular rules and procedures: the so-called “ASEAN Way” (Aggarjawal, 2010; see Acharya, 2004). On the other words, the making of ASEAN can be perceived as a mean to control the region in order to bring peace and stability based on state-defined interests. However, it should also be noted that to occupy the whole State, discipline *an sich* is not necessarily adequate. Rather than only disciplining subjects through forces and coercion, one should also gain consent from the others. Accordingly, the role of “civil society” is important to form hegemony, by gaining consent from all elements in the society and therefore cultivating power over society.

Gramsci defines “civil society” as “a set of institutions through which society organised and represented itself autonomously from the state”. On the other words, civil society sought to challenge dominant social forces by demanding an alternative to the existing social order (Gramsci, 1971; see also Shaw, 1999). In the context ASEAN, the role of NGOs in promoting norms in the regionalism process can be the best example of how “civil society” operates in the state. Since its early engagement, NGOs have been critical to the existing order in ASEAN, by organising several forums and protests in order to negotiate their interests to ASEAN (Gerard, 2014). Working outside of ASEAN, NGOs were trying to set agenda and challenge state dominations in ASEAN (Chandra, 2009).

The result of this contestation of interest is the so-called “war of position”, where each society try to contest their interests in its very articulation. NGOs critical stances to ASEAN and state leaders reflects the “war of position” between the NGOs as “civil society” and the state as “political society” to define ASEAN based on their own interests. Gramsci distinguished “war of positions” and “war of manoeuvre”. According to Gramsci, war of manoeuvre is a condition where there is a frontal, striking attack that makes the two armies (Gramsci made an analogy with military war) faced each other in the battlefield. In contrast, war of position refers to a condition where the army choose to strengthen fortresses rather than facing the enemy directly, resulting the strategy to be more diverse.

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<sup>45</sup>This paper distinguishes the term “State as concept and “state as political entity”. The former is concept of State in Gramscian sense, that is, the entire apparatus of society and the *locus* of power in which both domination and hegemony takes place, while the latter is the nation-state who were traditionally served as main actor in International Relations. In this paper, the State as Concept refers to ASEAN and the latter refers to the nation-state in Southeast Asia. See Antonio Gramsci, *Selected Prison Notebooks* (New York: Penguin Books), translated to Bahasa Indonesia by Pustaka Pelajar.



Within this perspective, this paper posits ASEAN as an arena for the contestation of interests between the “political society” and the “civil society”. The result of the contestation of interests is the establishment of hegemony. This paper, following Gramscian conception of hegemony, argues that in order to build hegemony, one has to get consent from the other and thus establishing a political order. In the context of Human Rights, it is arguably that the establishment of Human Rights institution in ASEAN reflects the contestation of interests between social forces who tries to define ASEAN. The ASEAN Charter has asserted that ASEAN should build a Human Rights Commission that comprises representatives from all ASEAN Member states (ASEAN Charter, 2007; see also Li, 2011). There are many political forces who are attempting to install hegemony in this newly-established commission, including the “democratic” NGOs and government representatives who aim to build an universal meaning of Human Rights and the “authoritarian” government along with its government-organised NGOs (GONGOs) who aim to tighten state control over ASEAN (Gerard, 2014). The struggle between “democracy” and “authoritarianism, in the case of Human Rights issue, has been shaped the institutionalisation process. Both of those social forces were trying to stipulate ASEAN by taking control the institutional structures in ASEAN.

Therefore, in order to make sense of the contestation of interests in ASEAN, this paper will analyze two variables. *First*, this paper aims to analyze the structure of space that has been constructed in ASEAN Human Rights institutions that enables all social forces to compete inside. Taking from Jayasuriya and Rodan’s idea on the modes of participation of Southeast Asian NGOs, the notion “spaces” is deemed important to identify the degree of NGOs’ ability in influencing regional institutions and the regional institution’s progress in widening NGOs’ participation, as well as to sense the debate and contestation between social forces in the region (Jayasuriya and Rodan, 2007). However, the “space” here is not entirely neutral. The “political space”, according to Keating (2003) is by nature contingent and is always filled by contestation among social forces (see also Gerard, 2014). Thus, in order to understand the development of ASEAN, one shall look at the institutional structures which shape the inclusion and exclusion of individuals and groups in the political process. This framework, indeed, acknowledges that institution structures the form of politics can take, making particulars form of participations acceptable and other not, but it also affirms that the spaces are much more flexible as the NGOs can also define created spaces and determine what takes place (see Jayasuriya and Rodan, 2007; Gerard, 2014).

*Second*, this paper will also analyze how Indonesian NGOs’ attempts to negotiate their interests in Human Rights issues. as explained comprehensively by Gerard (2014), There are three mode of participation of NGOs in ASEAN: participation in the space *provided* by ASEAN, participations in the space

*recognised* by ASEAN, and participations in the space *created* by NGOs in order to deal with ASEAN. This paper will focus on how Indonesian NGOs participate in the space *provided* by ASEAN, namely the ASEAN Intergovernmental Commission on Human Rights and its derivative institutions. By taking into account Gramscian notion of “civil society”, this paper argues that NGOs participation in ASEAN represents the contestation of “civil society” vis-a-vis “political society” to define the region.

However, since NGOs are by nature plural and multi-faceted, the contestation of interests thus not only occurs between state and NGOs, but also between state-organised or state-influenced NGOs and independent NGOs. From previous studies, it can be concluded that ASEAN has been limited in accommodating NGOs participation (see Gerard, 2014; Ruland, 2014). According to Jurgen Ruland, limited participation occurred due to regional corporatism that is embedded on the historical transformation of ASEAN that blends ‘organicist’ ideas with modern regional governance that is, locally constituted to ASEAN (see Ruland, 2014; Acharya, 2004). However, it is important not to blame ASEAN as the only factor that prevent NGOs to participate, but also taking into account the dynamics of intra-NGOs competition and its contestation with the state as the major political force in ASEAN. It is arguably that the contestation of interests between them is not merely a frontal “war of manoeuvre”, but in some parts there has been a “war of position”, which occurs in the entire apparatus of society.

The following part will analyse the political space in ASEAN which has been transformed as an arena for contestation of interests between “political society” and “civil society”, with a particular focus on ASEAN Human Rights’ institutions.

### **ASEAN AS ARENA FOR CONTESTATION OF INTERESTS: THE INSTITUTIONALISATION OF HUMAN RIGHTS IN ASEAN**

Since the late 2007, The Association of Southeast Asian Nations (ASEAN) has embarked on a historic milestone in its journey towards establishing a more open regionalism. The process was finally advanced with the all 10 member states ratified the Charter, shifting ASEAN from such loose ‘association’ into a more consolidated organization. However, the important new features of ASEAN is not only its structured organizational design, but also its fundamental commitments in opening the regional organization for a wider non-state actors’ participations and upholding the human rights norm.

Despite numerous doubts about its utility and significance for Southeast Asia, especially in the post-Cold War era (see Henderson, 1999; Acharya, 2003; Gerard, 2014), a year after the ratification of ASEAN Charter, ASEAN established the Intergovernmental Commission on Human Rights (AICHR). This is dubbed as an essential step in implementing the spirit of the newly adopted ASEAN

Charter, laying the foundation for a better promotion and protection of human rights, as well as in paving the way for the development of democracy and human rights in Southeast Asia. Indeed, this spirit was also concomitant with the burgeoning rhetoric of widening participation in ASEAN, expanding the participation beyond the accreditation system, where NGOs or the network of NGOs can apply to become affiliated with the Association and accredited with some participatory mechanisms. Specifically, ASEAN Charter reiterates the established additional opportunities for civil society involvement, and open for wider NGOs participation in the regional policy mechanisms.

However, this process was neither instant nor automatic. The development of post-cold War ASEAN was influenced by both internal and external elements. Whereas the end of Cold War posed an immediate urgency in restructuring ASEAN organizational design beyond its original mandate in stabilizing the region during the Cold War era, the limited ASEAN role in helping Southeast Asian countries under economic crisis proved the incapability of the association in adapting with the new international context. On the other hand, the ASEAN also face the apparent “helplessness” in managing internal stability. Events such as the 1997 Cambodian coup exposed the association’s incapability in resolving the deteriorating political situation. It led external commentators and some of the organization’s original members to cast doubt over ASEAN’s capability to act as regional manager (Henderson, 1999). Hence, the development of structural design of ASEAN was, then, being put to advance and strengthen ASEAN role in, as well as overcome its structural shortcomings.

The institutionalization of Human Rights in ASEAN has been started since 1993, when ASEAN Foreign Ministers agreed to establish some sorts of “mechanism” for Human Rights in ASEAN. However, the talk was postponed due to economic and political atmosphere in the region. the discussion to establish both institution and mechanism were continued at the second ASEAN Summit in 2003, where ASEAN leaders agreed to establish an ASEAN Political and Security Community by 2015 (Clarke, 2012). Four years later, under Hua Hin Roadmap for ASEAN Community, ASEAN included the ASEAN Human Rights Body to be established in the upcoming Community. ASEAN subsequently formed a High Level Task Force to finalize the draft of the charter as well as the ‘Eminent Persons Group on the ASEAN Charter’ (EPG) which is entrusted to lay the basic guiding principles in the Charter.<sup>46</sup> This group took the chance to ponder it carefully, including in promoting the human rights norm into the proposed Charter. Through this process, the EPG hosted series of informal consultations with both at regional institution’s official body, namely Working Group for an ASEAN

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<sup>46</sup>Interview with Rafendi Djamin, Indonesian Representative at the ASEAN Intergovernmental Commission on Human Rights (AICHR), 19 August 2014

Human Right, and with SAPA Working Group as the regional CSO (See Report of the EPG, 2006; Forum-Asia, 2006; Ginbar, 2010).

This process definitely showed the growing space for NGOs, especially in the form of societal incorporation, where ASEAN started to widen its political process with the inclusion of some NGOs in the process of consultation. The development human rights issues in ASEAN have resulted in the establishment of ASEAN Intergovernmental Commission on Human Rights (AICHR). Established as a mandate of ASEAN Charter, the talks to establish the AICHR as well as drafting the Term of Reference (ToR) has been started since 2008. The establishment involved a High Level Task Force, which is politically appointed by the Government, thus closed for civil society. Afterwards, each government appointed a representative for the Commission, which is politically appointed in accordance to “each state’s national law”.<sup>47</sup>

Notwithstanding, the newly-established Commission was not able to engage with any Human Rights cases in the region. This limitation was occurred due to lack of authority that the Commission owns in dealing with Human Rights cases. For example, there is no discussion in the Commission regarding the newest Human Rights violation in Southeast Asia. Instead, the Commission is only able to make cooperation with other state in Human Rights issues.<sup>48</sup> It has brought criticism from NGOs who seemed to regard the Commission of “ASEAN Toothless Commission” (Clarke, 2012). Other than that, the Commission also faced the low degree of democratization in several ASEAN Member States. Many ASEAN member states do not believe with democracy as well as Human Rights and even see them as threat for national sovereignty.<sup>49</sup> Thus, it is evident that the nature of authoritarian regime in ASEAN Member States prevents ASEAN to discuss prominent issues in Human Rights, even weaken the Human Rights Body itself.

The weak institutional design, state domination, and authoritarian nature in several ASEAN member states have led to several controversies surrounding the signature of ASEAN Human Rights Declaration in 2012.<sup>50</sup> This declaration was accused by Human Rights Activist as ‘legitimizing Human Rights violation by the state’.<sup>51</sup> This declaration contains controversial points that were rejected by Human Rights activist, including “the enjoyment of human rights and fundamental freedoms must be balanced with the performance of corresponding

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<sup>47</sup>Interview with Rafendi Djamin, 19 August 2014

<sup>48</sup> Interview with RafendiDjamin, , 19 August 2014.

<sup>49</sup>We can see the example: Laos, Myanmar, and Vietnam. In those states, Human Rights shall be adjusted with national law, which is controlled by authoritarian regime. Interview with Yuyun Wahyuningrum, Senior Adviser for ASEA at Human Rights Working Group Indonesia, 19 August 2014.

<sup>50</sup>Interview with Rafendi Djamin, 19 August 2014.

<sup>51</sup>Interview with Haris Azhar, Director of *Komisi untuk Orang Hilang dan Tindak Kekerasan* (Kontras), 18 August 2014.

duties as every person has responsibilities to all other individuals, the community and the society where one lives” (Article 6), the inclusion of term “in accordance to national law” (e.g. article 16, 17, 18), thus containing “particularism” in Human Rights studies.<sup>52</sup> Civil society alliances have denounced the adoption of the Declaration and stating that the Declaration “falls far below international standards”.<sup>53</sup> Thus, it is evident that ASEAN Intergovernmental Commission on Human Rights was incapable to deal with Human Rights violation in ASEAN Member States due to “the national law” in every state.

The abovementioned explanations have shown us that in the realm of ASEAN member states, specifically, human rights issue has been an alien issue for quite long times. In fact, it is important to note that the ASEAN’s attitude towards human rights has only gained pace at the turn of the twenty-first century, especially along with the growing international pressures, as well as the transformation of some its member states into democratic countries. Nevertheless, knowing that most ASEAN member states are prioritising the sense of sovereignty above all principles, human rights norm is perceived and upheld with various degrees of understanding. These diverse perceptions also affected the space created for NGOs participation in the international regime. Indonesian representative for AICHR, for instance, wanted a stronger role of the body; including the role to provide protection and mediate should any human rights problem occurred in Southeast Asia.<sup>54</sup> However, due to the consensus decision-making process in ASEAN, the final decision had to be the compromise of all member states’ interests, although it eventually limited the function of AICHR and its channel with NGOs. Moreover, the space created for NGOs also determined by domestic aspect of each member state, as some Southeast Asian countries has to provide an open channel for its citizen, especially under its domestic law, such as freedom information act.

As a clear result ASEAN still retains its traditional nature in carefully selecting its political space for public, as well as maintain the dominance of state’s influence in the regional mechanism. It is important to note, that the consensus-building mechanism remains the core foundation of ASEAN, including in seeking a compromise between the diverse perspectives and interests to respect human rights norms. The limited function of AICHR, which is focused merely on the promotion functions, reflected the limited access and impact of NGOs to its regional institution. In Gramscian sense, we can henceforth identify the

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<sup>52</sup>Interview with Eko Riyadi, Director of Center for Human Rights Studies, Islamic University of Indonesia, 8 September 2014.

<sup>53</sup> See “Civil Society Denounces Adoption of Flawed ASEAN Human Rights Declaration”, *Human Rights Watch*, 19 November 2012, accessed from <http://www.hrw.org/news/2012/11/19/civil-society-denounces-adoption-flawed-asean-human-rights-declaration>

<sup>54</sup>Interview with Rafendi Djamin, 19 August 2014.

contestation between “political society”, which in ASEAN case includes the state who aimed to preserve their national interests in the region, with “civil society”, or those who attempts to challenge state domination. By occupying regional processes in ASEAN, for example by weakening AICHR and re-introducing particularism in Human Rights Declaration, the state will be able to shape ASEAN and discipline non-state actors who also attempt to occupy the space.

Notwithstanding the fact that predominant nature of states’ influence is deemed as the main hurdle in limiting its political space, the NGOs activism in ASEAN has to be taken into account as well. Since 2003, their involvement in ASEAN has emerged with various modes of participation ranging from network creation to protest coordination (Gerard, 2014). Since 2003, NGOs have demonstrated the agency in pushing regional institution as well as articulating interest, forming an alternative for political space in the region. This following part will discuss NGOs involvement in pushing Human Rights issue in ASEAN.

#### **“WAR OF POSITION” OR “WAR OF MANOEUVRE”? NON-GOVERNMENT ORGANIZATIONS’ INVOLVEMENT IN ASEAN**

This part will discuss how NGOs in Indonesia attempt to negotiate their interests within existing structure in ASEAN. As discussed before, ASEAN provided only a little space for NGOs to participate in decision-making processes. On the other words, it also means that ASEAN as a political space has been predominated by the state that historically plays significant role in ASEAN. However, to fully hegemonising ASEAN, it is important for the state to gain consent from “civil society” which, in this case, consists of NGOs who also attempt to articulate their interests in ASEAN. This leads us to another question: to what extent can the NGOs involve in ASEAN? How does NGOs negotiate with the state in order to articulate their interests in ASEAN? This paper will answer these questions by drawing an analysis over Indonesian NGOs involvement in Human Rights issue.

It is important to firstly understand the nature of Indonesia’s position in ASEAN. Since 1998, Indonesia has experienced democratization which is maintained until present, thus making Indonesia as the biggest democratic state in ASEAN. Consequently, this position has transformed Indonesia as the “promoter” of democracy and human rights in the region, thus made Indonesia to be a leader in those issues. Democracy promotion has been made by Indonesia since 2007, when Foreign Minister Hassan Wirayudha proposed several items regarding Human Rights and Democracy to be included in the draft of ASEAN Charter. However, only the recommendation to build ASEAN Human Rights Body included in the Charter (Weatherbee, 2013). Besides that, Indonesian government has also initiated several informal meetings with NGOs to discuss the drafting of ASEAN Charter, including series of meeting in Ubud, Bali before

ASEAN Charter declared in 2007.<sup>55</sup> Therefore, Indonesian government has by nature opened for NGOs in the regionalism processes in ASEAN.

Given Indonesia's democratic nature in ASEAN, it is possible for Indonesian NGOs to articulate their interests in the regionalism processes in ASEAN. In the Human Rights issue, there are two prominent NGO groups in Indonesia who are actively involved in advocating Human Rights issues in ASEAN, namely Human Rights Working Group Indonesia (HRWG) Indonesia and *Komisi untuk Orang Hilang dan Tindak Kekerasan* (Kontras). Other than those NGOs, there are also several academic and think tank institutions who are actively researching and giving recommendations on Human Rights issues, namely the Human Rights Resources for ASEAN (HRRCA). This center is a network of academic institutions who have concerns on Human Rights issues and is built upon partnership with academic institutions from other ASEAN Member States.<sup>56</sup>

HRWG is a coalition of Indonesian civil society concerned with Human Rights issues in international level. Since its early establishment in 2003, it has been actively involved in many regionalism processes in ASEAN. HRWG's involvement started in 2006, when ASEAN formed High Level Task Force (HLTF) to finalize the draft of ASEAN Charter. HRWG Executive Director, Rafendi Djamin, served as the member of HLTF, representing Non-Government Organizations in the Task Force.<sup>57</sup> Rafendi's position in HLTF gave HRWG access to the drafting of Human Rights, thus enable them to negotiate Human Rights issue in ASEAN. However, as the decision was not made at HLTF, but instead at the ASEAN Summit, only the establishment of ASEAN Human Rights Body approved by the Summit. Many Indonesia's proposal, according to Weatherbee (2013), was blocked by states with authoritarian nature.

HRWG's involvement in advocating Human Rights issue was the continued at the establishment of ASEAN Intergovernmental Commission of Human Rights (AICHR). HRWG actively mobilized NGOs under its network to collaboratively advocate the drafting Terms of Reference (ToR) of AICHR, which was served as legal foundation of the Commission. Since the establishment of AICHR was not opened for public, HRWG monitored the drafting of ToR and the appointment of state representatives via the High Level Task Force (HLTF) that works on AICHR. HRWG used its close relations with Indonesian government, particularly the Ministry of Foreign Affairs, to obtain informations regarding the establishment of AICHR. Thereby, HRWG can maintain its leading role in disseminating

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<sup>55</sup>Interview with Yuyun Wahyuningrum, 19 August 2014.

<sup>56</sup> Interview with Eko Riyadi, 8 September 2014. Detailed institutional profile of HRRCA can be seen at HRRCA Official website, <http://hrrca.org/institutional-profile>

<sup>57</sup> Interview with Yuyun Wahyuningrum, 19 August 2014. After serving as member of Task Force, Rafendi was appointed as Indonesian representative for the newly-established ASEAN Intergovernmental Commission of Human Rights (AICHR).

information to other NGOs in Indonesia as well as in monitoring the drafting of AICHR ToR. By doing so, HRWG can successfully placed Rafendi Djamin, the Executive Director of HRWG, as Indonesian representative of AICHR. Rafendi was one of few representative who came from Non-Government Organizations, besides Thailand's Sripapha Patcharamesree, and thus representing NGOs interests in AICHR. The appointment of Rafendi Djamin as Indonesian representative in AICHR marked NGO's achievement in occupying the political space of ASEAN, which was traditionally dominated by Government representative.

HRWG's successful effort in AICHR was then continued in their involvement in directing AICHR, with its Executive Director sit as the member. Having represented the state at the Commission, HRWG actively mobilised NGOs under its network to continuously control the Commission. According to Yuyun Wahyuningrum, HRWG's Senior Advisor on ASEAN, occupying AICHR is one of HRWG's strategies to advocate Human Rights issue in the region. Consequently, at the Commission, HRWG has to face other representatives from states with authoritarian background as well as the so-called Government-Organized Non-Government Organizations (GONGO).<sup>58</sup> Both state representatives from authoritarian regime, such as Laos, Myanmar, or Vietnam, and GONGOs who come from those states tried to prevent 'independent' NGOs from occupying AICHR and advocating their stances on Human Rights. According to Rafendi Djamin, those representatives were trying to block Indonesia and Thailand's initiative to strengthen AICHR's role in investigating Human Rights issue in ASEAN. For example, when Indonesia and Thailand planned to hold meeting with NGOs representative in ASEAN, other representatives objected and instead ask, "Which NGO that you mean?"<sup>59</sup> For them, Non-Government Organizations are similar to anti-state or separatist movements which are categorized as subversive movement and threat for state's sovereignty. Therefore, there have been contentions among AICHR representatives in defining ASEAN's stakeholders in Human Rights issues. States with authoritarian background tends to place state-defined national interest as their stance, while democratic states tend to perceive national interest in a more deliberative sense. This conflict arose when ASEAN member states draft its first Declaration of Human Rights that was drafted under supervision of AICHR.

The drafting process of ASEAN Human Rights Declaration (AHRD), the first Human Rights Declaration in the region, reflects the conflict between state and NGOs in ASEAN. In the mid-2012, ASEAN Member States approved the draft of ASEAN Human Rights Declaration, which contains 40 articles. This

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<sup>58</sup>For further explanations about GONGO, see Kelly Gerard, *ASEAN's Engagement of Civil Society: Regulating Dissent* (Basingstoke: Palgrave, 2014).

<sup>59</sup>Interview with Rafendi Djamin, 19 August 2014.



declaration has raised criticism from many parties, particularly the NGOs, because of the ‘particularist’ tendency contained in the declaration, such as “the realisation of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds” (article 7). That article was also followed by several other articles which contains “in accordance with national law” (article 17, 25), thus emphasised the particularist tendency of the Declaration.<sup>60</sup> The particularist tendency reflects the state hegemony who tries to shape the political society in the region, as well as the transformation of Human Rights system in the region (Clarke, 2012).

This declaration has indeed upset many NGOs, including HRWG. However, NGOs responses are varies in this issue, depends on political stances that they owned. Daniel Awigra of HRWG said,

“we can conclude that NGOs responses to AHRD are different each other. There are some NGOs who were upset and did not want to accept the declaration at all. They released their own assessments and created people-defined AHRD. However, there are other NGOs like HRWG who were upset... but still thought that the declaration contained at least a product that can be used as legal foundation in one or two particular issue...”<sup>61</sup>

From that statement, it can be concluded that HRWG is using existing institutional structure, despites of its limits in accommodating NGOs’ voice, to negotiate their interests in the region. HRWG admittedly uses three strategies to involve in ASEAN. *First*, national capacity building that not only occurs in Indonesia, but also involving NGOs from other states. *Second*, critical engagement, which occurs when Rafendi Djamin appointed as Indonesian representative for AICHR. *Third*, fighting in the political space provided by ASEAN.<sup>62</sup> To some extent, these strategy has successfully endorsed Human Rights issues in ASEAN and created “war of manoeuvre” –in Gramscian sense–

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<sup>60</sup>Interview with Eko Riyadi, 8 September 2014. Particularism, in Human Rights studies, refers to a discourse that deny universalism and maintaining particular identity that cannot be affected by law. In Human Rights, particularism can be seen as a view that reject the Universal legal basis of Human Rights and asserts that national law should also be respected in Human Rights. For further explanations see Armin von Bogdandy and Sergion Dellavalle, “Universalism and Particularism as a Paradigm in International Law” *International Law & Justice Working Paper 3* (2008).

<sup>61</sup>Interview with Daniel Awigra, Researcher at Human Rights Working Group, 19 August 2014.

<sup>62</sup>Interview with Yuyun Wahyuningrum, 18 August 2014.

with the “political society” in the region. However, at some cases, the state as “political society” won the battle since they have, until present, been dominating ASEAN and disciplining all of its apparatuses. To that extent, NGOs articulation in ASEAN is limited.

Other than HRWG, there is also another Indonesian NGO who are actively involving in ASEAN regionalism but with different strategy: KontraS. Firstly built to advocate enforced disappearance issue in Indonesia, this NGO started to engage in ASEAN as the founding member of Human Rights Working Group in 2003.<sup>63</sup> However, as admitted by Haris Azhar, they were resigned from HRWG membership. KontraS was also active in several regional organizations, particularly the Forum Asia. Haris Azhar noted that,

“we were firstly approached to join the advocacy of Human Rights Commission by several fellows at SEACA (Southeast Asian Committee for Advocacy). We were approached alongside other organizations. Besides that, we have also been involved at Forum-Asia and joined the coalition since 2000s”<sup>64</sup>

KontraS’ regional advocacy is unique and different with HRWG, in the sense that they prefer using regional NGO coalition to ASEAN institutional structure. KontraS embraced the concept of “solidarity” to articulate their interests and demands. Within this concept, KontraS develops its own network with other ASEAN civil society organizations and, with that network, addressing emerging regional Human Rights issues. For example, KontraS is currently in a network with other civil society organizations under SAPA Task Force for Human Rights to advocate some regional issues, including the abduction of Sombat Somchai, a Lao activist who were criticising his government’s stance on development and reportedly missing after the ASEAN Civil Society Conference 2014. Together with other regional NGOs, KontraS hold series of campaign and solidarity to create pressures to Laos government. This concept was also used to address other issues in ASEAN.<sup>65</sup>

In terms of strategy, rather than using lobby, KontraS chose to mix lobby to international organization like United Nations with demonstration. For example, KontraS took lead in demonstration to criticise Indonesia’s chairmanship in 2011 ASEAN Summit at Jakarta.<sup>66</sup> They also organised a demonstration to criticise the first AICHR meeting in Jakarta, which attracted

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<sup>63</sup>HRWG was originally founded by several NGOs dealing with Human Rights and Development issues, such as INFID, KontraS, PBHI, and several other organisations. See <http://www.hivos.nl/dut/community/partner/50008761>

<sup>64</sup>Interview with Haris Azhar, 18 August 2014.

<sup>65</sup>Interview with Haris Azhar, 18 August 2014.

<sup>66</sup>Interview with Haris Azhar, 18 August 2014.

Phillippino and Burmese journalists who were enthusiast in reporting the dynamics. Kontras' criticism was caused by the lack of mechanism produced by AICHR in investigating Human Rights case. For Kontras, the Human Rights Commission is useless if they have no authority in advocating Human Rights.<sup>67</sup> With this position, Kontras has been very critical to HRWG and blame HRWG for being un-critical to AICHR.<sup>68</sup> At some cases, they were dissented with HRWG in addressing several issues in ASEAN

Kontras' position reflects what Antonio Gramsci called as "war of position", that is, the establishment of fortress and indirect battlefield among society. Based on the concept of "solidarity", Kontras attempts to consolidate all element of "civil society" and challenge the political society via extra-institutional apparatuses. They do not directly confront the state in ASEAN, but instead working in grass-root level to criticise and enervate state's hegemony in ASEAN. Unlike HRWG, Kontras maintain its position as "counter-hegemony" movement and hence creating distances with institutional apparatuses in ASEAN.

Outside HRWG and Kontras, there is also another academic institution who were advocating ASEAN but through ASEAN-led academic institution: The Human Rights Resource Center for ASEAN (HRRCA). Although most of them are academic institutions, there are little academics that are critical with ASEAN and its institutional apparatus in Human Rights. One of them is the Center for Human Rights Studies (*Pusat Studi HAM*) of Islamic University of Indonesia (UII). Historically functioned as "home" for NGOs in Yogyakarta who advocates Human Rights issue, PUSHAM bring some agenda to HRRCA and another academic network of Human Rights Studies, the Southeast Asia Human Rights Network (SEAHRN). Although its role is not as much as Kontras and HRWG, PUSHAM UII were actively involved in giving recommendation the reformation of AICHR for ASEAN.<sup>69</sup> In 2011, HRRCA published a baseline study on the rule of law for Human Rights in ASEAN member states (2011), which were made as framework to draft the ASEAN Human Rights Declaration the following year.

PUSHAM UII and HRRCA's articulations, nevertheless, were constrained by the limit of academic institution in advocating Human Rights. Unlike NGOs, who can independently articulate their interests in ASEAN, academic institutions have to adjust their program with university funding or policy. Therefore, the HRRCA can only serve as knowledge support for ASEAN without adequate criticism to transform it into other form of regionalism. Besides that, from HRWG and Kontras' activities, it is also evident that Human Rights advocacy in

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<sup>67</sup>Interview with Haris Azhar, 18 August 2014.

<sup>68</sup>Although it is not directly mentioned by Haris Azhar, Kontras seems to object HRWG's decision to send Rafendi Djamin as Indonesian representative of AICHR. Interview with Haris Azhar, 18 August 2014.

<sup>69</sup>Interview with Eko Riyadi, 8 September 2014.

Indonesia is, to some extent, “Jakarta-centrist” and “elitist”, which is unavoidably occurs due to ASEAN’s state-centrist nature. “Jakarta-centrism” made NGOs outside the Jakarta cannot be intensively involved in the advocacy processes.

## CONCLUSION

This paper has drawn analysis over NGOs involvement in advocating Human Rights issue in ASEAN. By utilising Antonio Gramsci’s conception on State and Civil Society, this paper argues that NGOs involvement in ASEAN can be explained as “Civil Society” initiative to challenge the “Political Society” in ASEAN. Historically, the “political society” in ASEAN has been established by the society of state who traditionally dominated the decision-making processes in the region. However, the rise of NGOs and their involvement in ASEAN gives another perspective on ASEAN regionalism. NGOs involvement represents “civil society” attempts to challenge state domination in ASEAN. This paper has drawn two strategies, according to Gramscian perspective which are utilised by Indonesian NGOs to involve in ASEAN. *First*, Indonesian NGOs use “war of manoeuvre” that includes advocacy within ASEAN institutional structures or spaces provided by ASEAN. This strategy is used by Human Rights Working Group (HRWG) since the drafting of ASEAN Charter and the establishment of AICHR. *Second*, Indonesian NGOs are also using “war of position” that includes extra-institutional

However, those strategies have also posed challenges because, to some extent, state were still dominant in Human Rights issue. The most prominent portrait of state domination in ASEAN Human Rights issue is the drafting and signature of controversial ASEAN Human Rights Declaration, which has been widely criticised by NGOs. Although NGOs have been represented by Rafendi Djamin, he has failed to negotiate NGOs interests due to other state’s pressures. Moreover, there has been also dissention between Indonesian NGOs regarding strategies that can be used for advocacy. Therefore, it is important for Indonesian NGOs to rethink their strategies to advocate Human Rights issues in ASEAN.

## REFERENCES

- Acharya, Amitav. *Constructing a Security Community in Southeast Asia*. London and New York: Routledge, 2003.
- Acharya, Amitav. “How Ideas Spread: Whose Norms matter? Norm localization and institutional change in Asian regionalism”, *International Organization* 58(2), 2004: 239–75.
- Acharya, Amitav. ‘Democratisation and the Prospects for Participatory Regionalism in Southeast Asia’, *Third World Quarterly* 24, 2(2003): 375–90.

- Acharya, Amitav and Richard Stubbs, "Theorizing Southeast Asian Relations: an Introduction" *The Pacific Review* 19, 2 (2006): 125-134.
- Aggarjawal, Vinod and Jonathan Chow. "The Perils of Consensus: How ASEAN's Meta-Regime Undermines Economic and Environmental Cooperation" *Review of International Political Economy* 17, 2 (2010): 262-290.
- Beeson, Mark. *Institutions of the Asia-Pacific: ASEAN, APEC, and Beyond*. London and New York: Routledge.
- von Bogdandy, Armin and Sergio Dellavalle, "Universalism and Particularism as a Paradigm in International Law" *International Law & Justice Working Paper* 3 (2008).
- Chandra, Alexander. *Civil Society in Search of an Alternative Regionalism in ASEAN*. Winnipeg, Manitoba: International Institute for Sustainable Development, 2009.
- Clarke, Gerard. "The Evolving ASEAN Human Rights System: The ASEAN Human Rights Declaration of 2012" *Northwestern Journal of International Human Rights* 11, 1 (2014): 1-27
- Clarke, Gerard *The Politics of NGOs in Southeast Asia: Participation and Protest in the Philippines* London: Routledge, 1998.
- Fermia, Joseph. "Gramsci, Epistemology, and International Relations Theory". *Paper presented at the Political Studies Association conference, Swansea, April 2008*.
- Gramsci, Antonio. *Selected Prison Notebooks*. New York: Penguin Books, 1971 (translated to Bahasa Indonesia by Pustaka Pelajar, 2013).
- Gerard, Kelly. *ASEAN's Engagement of Civil Society: Regulating Dissent*. Basingstoke: Palgrave, 2014.
- Ginbar, Yuval. "Human Rights in ASEAN—Setting Sail or Treading Water?" *Human Rights Law Review* 10, 3 (2010): 504-518.
- Hakim, Luqman-nul, *ASEAN: Konstruksi Regionalisme di Asia Tenggara* Yogyakarta: Gadjah Mada University Press, forthcoming.
- Henderson, Jeanne. "Reassessing ASEAN", *Adelphi Paper* 328, Oxford University Press, 1999.
- Human Rights Watch. "Civil Society Denounces Adoption of Flawed ASEAN Human Rights Declaration", *Joint Statement*, 19 November 2012
- Human Rights Resource Center for ASEAN, *Rule of Law for Human Rights in the ASEAN Region: Baseline Study*, Jakarta: HRRCA and ASEAN Secretariat, 2011.
- Jayasuriya, Kanishka and Garry Rodan. "Beyond Hybrid Regimes: More Participation, Less Contestation in Southeast Asia" *Democratization*, 14, 5 (2007): 773-794.
- Keating, Michael. "The Invention of Regions: Political Restructuring and Territorial Government in Western Europe" in Neil Brenner, Bob Jessop, Martin Jones, and Gordon MacLeod (eds). *State/Space: A Reader*. Malden and Oxford: Blackwell, 2003.
- Li, Tan Hsien. *The ASEAN Intergovernmental Commission on Human Rights: Institutionalising Human Rights in Southeast Asia*. Cambridge: Cambridge University Press, 2011.
- Rüland, Jurgen. "The Limits of Democratizing Interest Representation: ASEAN's Regional Corporatism and Normative Challenges" *European Journal of International Relations* 20, 1 (2014): 237-261.

- Severino, Rodolfo. *ASEAN*. Singapore: ISEAS, 2010.
- Shaw, Martin. "Civil Society" in Lester Kurtz (ed.) *Encyclopaedia of Violence, Peace and Conflict* (San Diego: Academic Press, 1999).
- Thomas, Peter. "Gramsci and the Political: From the State as 'Metaphysical Event' to Hegemony as 'Philosophical Fact'" *Radical Philosophy* 153, January-February (2009): 27-36.
- Weatherbee, Donald E. *Indonesia in ASEAN: Vision and Reality*. Singapore: ISEAS, 2013.

### **Interviews**

- Rafendi Djamin, *Indonesia's Representative at ASEAN Intergovernmental Commission on Human Rights*.
- Yuyun Wahyuningrum, *Senior Adviser for ASEAN at Human Rights Working Group Indonesia*
- Daniel Awigra, *Researcher at Human Rights Working Group Indonesia*
- Haris Azhar, *Director of Komisi untuk Orang Hilang and Tindak Kekerasan (Kontras)*
- Eko Riyadi, *Director of Center for Human Rights Studies, Islamic University of Indonesia*

### **Documents**

- Hua-Hin Declaration on Roadmap for ASEAN Community*
- Report of Eminent Person Group on ASEAN*
- The ASEAN Charter*.
- The ASEAN Political and Security Blueprint*



# **DIGITAL YOUTH AND POLITICAL ACTIVISM IN AN ERA OF OPENNESS**

**DERAJAD S. WIDYHARTO**  
UNIVERSITAS GADJAH MADA





# DIGITAL YOUTH AND POLITICAL ACTIVISM IN AN ERA OF OPENNESS

**Derajad S. Widhyharto**

Department of Sociology, Faculty of Social and Political Sciences  
UniversitasGadjahMada

## **Abstract**

Openness and social media have created a critical awareness and political activism among youth. Unfortunately, there have not been sufficient studies and policies from the states in exploring the sensitivity, participation, and youth contribution in digital space. In Jogjakarta, sensitivity, participation, and youth contribution in development are there and going stronger. On the other side, public openness momentum and the usage of social media can be both an opportunity and challenge for youth especially in performing their opinion and monitoring political process. This paper is based on a study utilizing *online-offline* survey about youth, political activism, and new media. The result of this survey shows that there is an increasing sensitivity, participation, and contribution among youth responding to the current development and political process. In this context, youth faces problematic position, as a subject or an object in this openness era changing.

Keywords: *digital youth, political activism, social media and Openness Era.*

## Background

Openness is inevitable due to rapid progress of information and communication technology innovation and global interaction (Holmes, 2005:365-369, Mugasejati&Pratikno, 2013:1-2). With the current amount of information and communication technology and significant flows of global networks, it is difficult to control every bits of information that circulates. Therefore, the era of openness, direct or indirect, can compress the time and space dimension (Wilhelm, 2003:39-40). Moreover, nation states are also facing pressure to implement active measure to filter and control the content of information. This has led for some to argue that openness is currently undermining the territorial boundaries, thus becoming more blurry and fuzzy. To a more extreme degree, one can argue that information and communication technology have made the territorial boundaries of nations states no longer significant. One can easily suggest and receive information according to one's preferences. At the end, openness will cause social-cultural diversity, political configuration and even liberal economy to fade away (Hines, 2005:13-16, Mantra, 2011).

The notion of openness can also shape various aspects of societal life within a nation. This can be discerned from the risks that start to emerge responding to such openness. For example is the social cultural risk, openness will ignites certain values, culture and knowledge from other parts of the world to cross boundaries, entering a society which owns a different set of values, culture and knowledge. (Hines, 2005:89-91). The other risk is related to political activism. The presence of openness will provide space for transnational activism and unpopular ideology in Indonesia to flourish. A similar condition can also be argued regarding the economic risk, economy openness has become a reality that is difficult to be rejected, especially as Indonesia has ratified its status as one of World Trade Organization's members (WTO) through the law number 7 year 1994 which can be argued as one of the pivotal moments of the liberalization of Indonesia's economy and within a year, in 2015, will be followed with the ASEAN Economic Community (ASEAN Secretary, 2008, Mantra, 2011, Mugasejati&Pratikno, 2013: 3).

Considering that openness may lead to a fierce global competition between countries, it may prompt the risks of defeat if Indonesia is unable to compete with other countries. And there is a strong reason to appraise such situation as some signs have indicate otherwise, for example, the possibility that Indonesia may enter what is known as a *middle income trap*, or Indonesia capabilities to handle its resources driven economy (Mugasejati&Pratikno, 2013:6-9), and the increasing number of whereas youth unemployment constitute 20.9 percent from the 53.7 million labor force in February 2014. The staggering number of youth unemployment in Indonesia is higher than average youth unemployment in

South East Asia (13.3 percent) and East Asia (9.8 percent), noting that the definition of unemployment here is those who are not working or temporarily working (BPS, 2013). The critical point is then to critically ask how to anticipate the risks of being left out from global competition at the societal level? What crucial factors need to be prepared in order to respond accordingly to the social, political, economic, and cultural transformation brought by global competition, considering that next year the ASEAN Economic community will commence? These are complex questions, openness may bring diverse opportunity and challenge for different social groups, which indicates that the notion of openness can have severe impact if we do not prepare and anticipate the future properly

Responding to questions above, this study attempts to provide a fruitful insight regarding the notion of openness from the youth perspective. Furthermore, the question can be extended by postulating why youth and what contribution this social group produce responding to the various changes? This study aims to these questions also by incorporating local perspective as well, thus preparing to face openness by identifying youth dynamism at the local level in Yogyakarta and national level. This is fundamental for scientific investigation because global networks in many cases “have invited” foreign actors to extract Indonesia natural resource bringing not a mutualistic, but a tendency toward exploitative relationship (Levine & Caporaso, 2008:445-448). This study argues that exploring this local experience can be a means to understand better the potential of this nation as such reality dominates and represent the everyday lives of the society. The reality that is discussed here is represented by the digital usage of youth and its relation with contemporary political activism.

E-Marketeer market (2013) data shows that the number of Internet usage will exceed 100 million users in 2015; this figure is the third most rapid in the world. After it reached 2 million in 2000 and 61.1 million users in 2012, and in 2013 the number of users achieved 76.4 million people. Compared to other member of ASEAN countries, Indonesia citizens spend their time for Internet at most 21.9 hours per week. From the penetration of communication technology side, there has been a significant increase, from 30 percent of the population that use cellular phone in 2008 to 80 percent of the population in 2013 (Kompas, 17/03/2014). Another significant increase is also exemplified by the rise of social media users like *twitter* which hits 20 millions; Facebook exceeds 42.5 million and several online blogs that add to 5.3 million. Even at the urban level, at the present, there is a competition into becoming a digital city. Not less than Lamongan, Surabaya, Bantul, Yogyakarta, Denpasar, Cimahi, Bogor, Bukit Tinggi, Makassar, Banda Aceh, Banyuwangi, Gresik, Agam, Badung, Kutai Timur are racing to become a digital city (Marketeers, June 2014)

Three out of sixteen district and municipal digital cities that received Digital Society Award (IDSA) 2014 are located within D.I Yogyakarta province; Sleman,

Bantul and Yogyakarta which have digitalized as well their public service. Digital behavior have also been shown by members of society, for example, the speed of downloading and Internet Protocol Address which have been flourishing rapidly like other major cities in Indonesia and even ASEAN major cities (TribunJogja, 27/4/2014 in Widhyharto, 2014).

What are the opportunity and challenge faced by youth at the national and local level in relation to the era of digital openness, Indonesia holds a vast bulk of youth population, the Kemenpora youth statistic (2010) notes that the number of youth in Indonesia (16-30) is approximately 57.81 million or 25.04% from the total Indonesia population. Looking from a gender distribution, the amount of young male and female are equal. And more youth live in the city (26.8%) than rural areas (23.50%). For the educational participation, youth who live in urban areas have higher degree of education compare to those in rural area. Based on educational degree, the majority of youth are currently in junior high school (31.19%), followed by those who are in secondary school (30.93%) and higher education with (28.96). If we looked from the occupational status, agriculture is still dominant (32.87%), followed by Commerce (21.42%) and then Industry (16.59%).

The usage of new media outlets and youth potential above show the opportunity and strength in utilizing new media. Kompas survey on higher education institutions with 300 respondents reports that more than half of the respondents have more than one smart phone or a similar type of technology. As much as 34 percent of the respondents owned two gadgets. Even 12 percent among them have more than two smart phones. Still in a same report, the applications like Facebook, Path, Twitter and Instagram have attracted youth to own such gadget. At least, 92 percent of the respondent claims that they only use smart for social media purpose. This new virtual arena is part of the new usage of media by the society as *One Device Research* argues that 24 percent of the Indonesia population or 60 million people are connected to internet and 37 million of them use Smartphone (Widhyharto, 2014).

Yogyakarta, which is the barometer for the political situation at the national level, underlines the strength of youth power as it is shown in the table 1 below which projects the population based on age groups

**Table 1: Population Projection Based On Age Groups in DIY  
2013 – 2021 (X000)**

Age Groups	Year									
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
15 – 19	234,4	224,9	214,1	200,5	205,7	209,0	211,4	211,8	211,8	210,8
20 - 24	295,1	289,3	285,1	282,5	271,3	259,3	248,4	238,6	238,6	228,3
25 - 29	354,0	343,2	335,0	331,8	320,8	311,4	306,4	303,5	303,5	303,8
30 - 34	362,2	369,0	371,2	370,5	363,5	354,3	343,2	330,9	330,9	321,3
35 - 39	291,1	307,5	322,5	334,8	346,2	356,6	363,2	365,6	365,6	363,9
40 - 44	248,5	250,7	255,6	263,6	274,8	288,7	304,0	319,2	319,2	331,3

Source: Yogyakarta Statistic “DalamAngka”, 2013

The table above shows that the projection figure for youth in D.I Yogyakarta is a result from demographic bonus, which started in 2012-2021. If we do not respond wisely to this increasing figure, it may trigger new challenges at the end. The productive age group is a double edge sword in terms of its influence in political activism, which is, youth can be a significant balancing force, or to the contrary, undermine the openness era.

## Method

The underlying assumption in this paper is initiated by the previous research about youth, political activism, and new media conduct by Youth Studies Centre researcher in 2013. Political activism in this context is activities by youth that unfold as a respond to public issues. In this context, the new media mediates sensitivity and youth response. In other words, youth perform their activities utilizing new media to construct community, activities, achieve a goal and voicing their aspiration in social media.

Methodologically speaking, this study employs a mixed method. The design of mixed method is considered to attain an interdisciplinary approach and not a middle ground for the quantitative and qualitative method, instead a combination of the strength of both approaches to conceptualize problems from a wide and complex theme. In regard to its mixed approach, this study uses the online survey from [www.youthnation.or.id](http://www.youthnation.or.id) with interviews from Focus Group Discussion (FGD) towards youth activists as it is highlighted in table 2 FGD participants youth communities below:

No	Name of Community	Focus of Political Activism
1	Ikatan Remaja Muhammadiyah	Muhammadiyah Youth Association
2	Book for Mountin	Education Activism for Merapi Society
3	Coin of Chance	Empowering and Education Activism
4	Komunitas Jendela	Youth Literacy Activism
5	Jogja Berkebun	Gardening City Movement
6	Ketjil Bergerak	Child Education Volunteers
7	Ekspedisi Magazine	Youth Adventure & Environment Magazine
8	Kophi Yogyakarta	Environmental Activism
9	FFD	Youth Documentary Film Community
10	Smile for Children Yogya	Child Education Movement
11	Pull the String	Youth Media and Film Literacy
12	Young on Top	Youth Entrepreneur Activism
13	Gajah Mada Mengajar	Basic Education Activism
14	Kampung Cyber	Multimedia Community, Organize by Youth

Source: Widhyarto, 2014:4

In employing mixed method, researcher emphasis one of mixed methods strategies, which is *concurrent triangulation strategy*, with such strategy researcher is not confined within quantitative nor qualitative data only. Instead, both type of data are collected simultaneously and then juxtaposed for analysis to gain a comprehensive insight. With this approach researcher can describe in depth the survey and FGD result (Creswell, 2009:212-213).

From the overall respondents in this survey, respondents that are enrolling at school or higher education as students are the majority with 206 people (71.53%). This data indicates that the survey, which aims to capture youth opinion, is well precision. Based on law number 40 year 2009 about adolescent,

youth, in article 1 verse 1, defines youth as Indonesia citizen who enters development and growth from sixteen to thirty years old. Therefore, the majority of the respondents who are high school graduates or equal can be discerned as youth. Youth characteristics are illustrated by law number 40-year 2009 article 6 as passionate, voluntarism, responsible, noble and have critical, idealist, innovative, progressive, dynamic, reformist, and futuristic traits.

Survey data, online and offline; indicate that there is no significant difference, except for respondents that belong to the junior high school or equal. In this category, it is the offline data that is higher compare to the online data. In the offline survey system, high school is one of the locations where the questionnaire has been disseminate, thus it is understandable if most of the data that are gathered comes from respondents that have graduate from junior high school and currently are enrolling in high school. On the other hand, in the online survey system, the dissemination of question is not confined within one location only, as long as respondents are in places with Internet connections.

In line with the explanation above, the focus group discussion with several youth community in Yogyakarta suggests that there is a parallel between respondents educational background with youth characteristics. For example, ExpedisiMagz, a community that utilize media, posit that members of their community are predominantly university students or graduates, with age span between 20 to 25 years. Beside that, their target audiences are youth with age span between 18 to 25 years old. However, EkspedisiMagz does not close the possibility for public outside their target audience to read their media as well.

Moreover, for *Book for Mountain* community that advocates social and education issue, community member's age is various from 25 to 30 years old as the oldest. This member is considered senior or 'elderilized' in such community. And then, in KomunitasPemudaHijau (KOPHI) that focus on environmental issue, their membership use law about youthm which 16 to 30 years old. However, they also admit that most of KOPHI's members are university students. KOPHI also states that university students have particular interest and strong voluntarism towards environmental issue compare to other social groups.

Another interesting finding that emerges from the data is that youth is one of the society's elements who are pro active in social media compare to other social groups. Youth between 18 to 25 years old have a certain level of activism in accessing Internet that seems to be greater compare to those who are below 18 and above 25 years old. In a nutshell, these factors are the main reason why youth communities in Yogyakarta use social media as their means, starting from socializing program to even member recruitment.

In relation to youth characteristics above, the choice of online-offline survey is deemed vital because it represents the openness spirit and also digital youth activities. On the other hand, a website based research offers time efficiency and



lower cost in collecting and analyzing as it does not involve a lot of manual enumerator (Carini et. all, 2003; Dillman, 2000; Schmidt, 1997; Shannon, Johnson, Searcy, dan Lott, 2001; Watt, 1999 in Sue & Ritter, 2007). Such feasibility is a strong determinant for use to use this type of survey. Although, there is a great possibility that a researcher may lower research cost with web survey, they need to account the work cost to conduct web survey which sometime is difficult to calculate. The cost to develop web, manage email, and disseminate invitation and reminder, and computer networks cannot be simplified. As a researcher, we have to consider the work cost to survey through website, as the cost decreases the sample number increases (Yun dan Trumbo, 2000 in Sue & Ritter, 2007). In this paper, we deploy online server, with question format that have been adjust for offline format as well so it does hinder the quality of research.

### **Theoretical and Literature Review**

There are three concepts that investigate the relations between openness and information communication technology, for example, dystopian perspective that perceive the advancement of information communication technology might lead to a disorientation in social political life. In other words, they conceive direct interaction is more critical compare to social interaction that occurs through media. The neo-futuristic perspectives, which perceive information communication technology as a force, that overhaul the old system, but then create a sense of displace. The techno realist on the other hand sees the importance of critical thinking about the role of media, considering that media has blurred human's values and put forward a new set of values (Wilhelm, 2003:4-5). The contestation of these concepts become more visible when the online-offline dimension offer an endless connection above time and space when it is utilized by youth.

The usage of contemporary media by youth can be seen as part of the virtual space. This new media within the context of modernity is able to create a sense of separation between space from place and the severing of face-to-face interactions. This condition offers a new discourse about the process of meaning construction of political issues by youth and to appraise those meaning being produced. Discourse through social media is one of the means that youth utilize to negotiate their representation and positioning over an overarching domination, alienation, exclusion, and other fundamental aspects related to agency that is co-continuously. Based on the discursive above, it is pivotal to elaborate some of critical concepts such as the discourse relating to body and identity.

The study conduct by Lim (2012) denotes that social media has become a new medium with important roles in terms of supporting youth aspiration in various aspect of life, including politics. For instance, many as unjust regard the 'cicakvsbuaya' case that involves Corruption Eradication Commission and the

high rank Police officers who are suspected for corruption. The statement of one of the actors involved that posit Corruption Eradication Commission as a 'cicak' and Police officer as 'buaya' has exemplified such unjust. Addressing this unjust, youth that are concerned with this case subsequently mobilized support through a fan page that declare their support on Corruption Eradication Commission's work in eradicating corruption.

On other case, the quarrel between PritaMulyasari and Omni hospital in Jakarta over a malpractice case has placed Prita on a situation where she is obliged to pay the hospital a fee Rp One billion. The sympathy of society over this case inspire youth to fundraise financial support for Prita through a social media campaign titled 'Coin for Prita' for a week and managed to raise a large amount of money which was sufficient to pay the fee. Based on these two cases, it can be argued that although in reality the offline youth has not a great strength of political capital yet, youth political activism through digital space indeed has a great scale of power and can be utilized to push certain issue (Lim, 2012, Desrues, 2012).

It can be argued that the political activism of youth in media is an extension from their offline activities. This is exemplified through various activities such as *digital nation movement* (Hamid, 2014), *digital valley*, and then petition such as *change.org*, *meteranpolitik.org*, *indonesiaberkebun.org*, *indonesiamengajar.org*, and most recently during election is *e-blusukan,kawalpemilu.org* and similar other domains. In executing political and social activism youth often built political discourse which subsequently is expanded and led by activist leader. Responding to this situation, Nugroho&Syarief (2012) argue that social media could not mobilized mass in a massive scale, and need to be complemented with sub movements which accommodate and centralized the initial movement.

Youth involvement in political activism in digital era solidify the strength of youth in virtual space.They are in the process of co-creating, processing, producing, and self evaluating.To a certain degree, techonology innovation and its adoption by youth could be seen as a discussion that transcends trend, character, and their identity expression (Mizuko, 2008).This condition justifies youth perception of having their own culture as well as being an agent of change who are situated very close to digital space.

The influence of communality which is a robust trait of Indonesian also endoreses their tendency to adopt technology.In short, through the relational dimension between producer and consumer, it can be argued that practicality, access, popularity, communality, and media content are determinant factors for youth to adopt information communication technology.Therefore, youth needs to conceptualized as a user who produce and also consume political messages from various media sources.

The concept relation of new media focuses primarily on internet and youth which have been investigated intensively from a socio-cultural and political perspectives (Subrahmanyam dan Smadel 2011:114-115). At the same time, youth as a social group that dominates the age group that uses internet in Indonesia is a potential resource for digital political activism. The study conducted by the Center for Internet and Society Bangalore, India with Netherlands Hivos titled "Digital Native with Cause" refer to an identification process by digital natives which emerged after 1980 and close to digital media. Study that emphasis on the behavioural pattern of youth in utilizing digital media focuses on youth from developing countries. This preference is based on empirical data that 85 percent of youth are located in developing countries. One of the fruitful findings of this study is within the context of political activism, digital natives are e-agent of changes because information communication technology and internet are effective medium for youth who are at the early stage in political participation. However, contrast to *The Center For Internet and Society Bangalore, India* dan Hivos this study focuses on youth and political activism.

## **Finding**

### **1. Youth and the Usage of Social Media**

Referring to this study finding, spare time are mostly spent by using new media (44.38%). This activity is predominant among youth compare to interaction with members of family (11.35%). This condition is understandable considering that majority of the youth that participate as respondents originate from other areas and do not live in the same city. Youth's preference to socialize is also exemplify by the fact that mingling with peer group is the second most preferable activity (21.99%) and organizing (16.67%). This finding shows a positive sign as youth takes a proactive and productive approach in spending their leisure time.

Youth's tendency to access new media during leisure time is in line with youth behavioural act as digital natives and the increasing amount of resource. As part of the Gen C that was born, grown and develop along with information technology innovation, youth daily life is entangled with communication technology. Gen C itself is not a social category based on age like Gen X, Gen Y, and Babyboomers, instead it is a segmentation based on attitude and mindset centred on *creation, curation, connection*, dan *community* (Sugihartati, 2014:102).

As part of the Gen C, youth's preference for creative activities, interconnected, and associated with community is highlighted by respondent's characteristics. At this stage, these three characteristics can no longer be seen as a demand but also a desire. Bagi pemuda, kebutuhan akan *connection, community*, dan *creation* dapat mempengaruhi eksistensinya. For youth, the desire to be interconnected, associated with

community, and creation can affect its identification. In line with this condition, the technology tools become a primary need for youth to access and assign information content. On the other side, the presence of Gen C is celebrated by telecommunication market by providing mobile communication, and also developing free wifi networks on several public location. From several communication technology tools, cellular phone user (46.76%) and laptop (29.14%) are two dominant medium that are highly utilized by youth to access information. For the bottom ranks, there are PC (14.75%) and tablet (9.35%).

Cellular phone and laptop popularity among youth to access new media indicate that youth as a social group is highly mobilized and active. Moreover, portability and effectiveness of both tools support youth movement to access information anytime at any places. Based on this research result, average daily usage is approximately 3-5 hours (43.26%). This finding is compatible with the study result of MarkPlus Insight (2012) where internet browsing through mobile phone exceeds 58 million people with majority accessing more than 3 hours per day.

Increasing usage of new media from weekly to 3-5 hours per day highlights how critical access to information and interconnected with global networks are for youth. In accessing new media, youth usage is dominated by social media (59.71%). Subsequently, browsing website is the second most common activities 17.27%, email 12.58%, online game 7.91%, and blog 2.52%. It then can be argued that the compatibility between social media characteristics and youth as a Gen C is caused primarily by social media which allows youth to connect, exchange message, and build community with other media users. Furthermore, social media popularity among the society cannot be separated from communal value within the society which supports the developing of community and peer groups.

Society's acceptance on mobile communication, especially mobile phone indeed influence their daily usage of media. One of the challenges in measuring however is that the practice accessing information through mobile phone is not accumulated as part of time allocation in utilizing new media but only as part of using laptop or computer. From the behavioral pattern of youth accessing new media, this study found that the prime time in utilizing them is during lunch and night, between 18.00-22.00 PM.

The need to access information and connected with global networks place browsing and mailing as two primary activities that are often conduct by youth. The survey result show in hierarchy that respondents put browsing on the top (67.87%), mailing/accessing email (13.72%),

online gaming (7.22%), download file (6.50%), and blogging (4.69%) as part of their daily life when accessing internet.

Subsequently, the variety of social media although they all concentrate on the concept of social can be distinguish as it is their strategy to form an unique selling point. Within the universe of social media, four names that are popular are Facebook, Twitter, Blog (Wordpress, Blogspot, Tumblr, and so on), and Instragam. Each social media has their own trait which consequently drive youth to utilize them differently as well.

Facebook allows its user to have its own page as well as connected with their peer through friend list networks. Beside that, there are other fitures such *photo tagging*, *fan page*, and group which enhance Facebook as a cutting edge for communication, either for marketing purpose or social activities.

On the other hand, Twitter is a microblogging site which limis its text to 140 characters and shapes information into a consice form and emphasis on the follow principle which enable information to be disseminate withouth being constrained with the relation status between sender and receiver. Blog also contributes to the development of social media. Through blog, every new media user can have its own personal media where they can express their idea freely

In general, youth has a tendency to always try a new social media, particularly when it holds a great potential. Appraising its usage, most of the youth's members have more than one social media account. Notwithstanding, some of them even have multiple accounts in one social media, and also use various social media platforms to address their aspirations. This situation is consistent with the FGD result that involves various youth communities in Yogyakarta, where one of the communities has an experience utilizing various social media platforms to fundraise. At the beginning, they use Twitter and Facebook to fundraise, but then one of the community's member took an initiative by using broadcast message feature in Blackberry Messenger. As a result, the amout of fund it recieves exceeds its initial estimation. Reflecting such situation, it can be conclude that the integration among various platform is an effective step for spreading ideas and building a social movement.

Furthermore, the effectivity of social media as an activitsm movement cannot be disentangled from the way the message is conveyed. How the message is conveyed can influence the interest of other actors. This story telling capabiliti in folding the message then becomes a critical factor for new media activist to consider when they disseminate ideas.

Referring to this study result, it is found that Facebook is the most popular social media by youth (95.04), followed by Twitter (87.23%), Blog (50.71%), Instagram (38.65%) and other social media (23.76%). Facebook popularity in Indonesia even reaches 50489.360 users and position Indonesia as the fourth largest Facebook users in the world (<http://www.socialbakers.com/facebook-statistics/> dan <http://www.checkfacebook.com/>). Beside Facebook, Twitter is also one of the most idolized social media for users in Indonesia. Within the international scope, Indonesia is even amongst the top most active. Thus, it is not surprising that we often found Indonesian hastags often registered as worldwide trending topic.

Beside for political activism, social media often serves as an emotion catalyst. Through social media account, user can express or gather attention from other user. This attentional needs endorses hastag that popularizes emotional phrases such as “galau”, “semangat”, and so on. Before the presence of social media, communality and attentional needs is expressed through oral communication. Thus social media may enroll as an extension of offline reality where attentional needs might spread to a broader audience.

Looking on the function of social media as an emotion catalyst, the emotional mood that is most often expressed is joyful feeling with the result showing an average 51.44%. The assumption about seeking attention is supported by 24.10% respondents who admit that they use social media often to express their nosyness.

An interesting note about expressing personal feeling in social media is related to the construction about private and public sphere. Although social media account is personal, but at the end, the information that has been disseminated becomes public because it can be read by other users. In other words, the emotion that is felt by the actor is personal, however, when it is disclosed through social media, such information becomes public. At this stage, the distinction between private and public becomes blurred and fuzzy.

## **2. Digital Youth and Political Activism**

Further interesting finding from this study is that youth conceives politics is not confined to practical politics only. Based on the result, 300 respondents, both from the offline and online survey, states that 68.40% or 184 respondents that one of political activities that they can perform is by being aware with political issue. This is to criticize the dominant

perception that political activities is only related with political parties and so on. However, the knowledge about political activities by affiliating with a political party is only shown by 21 respondents or 7.81%. The same result is also exemplified when political activities is related with social movement, only 7.06% or 19 respondents that filled this answer, both from offline and online. For youth before the era of reformation, one of the classic assumptions that surge is to conceptualize political activities through tangible actions such as demonstration. This is understandable given that praxis political opportunity for youth is limited, making demonstration more appealing. Interestingly, these remnants of assumption are still inherited, this is clearly shown by 10 respondents or 3.72% that understood political activities as concrete demonstration on the street. However such perception can be problematized as youth activities can no longer be interpreted with conventional conception following technology information innovation has changed dramatically a lot aspects of daily life. At the present, the number of youth that conceives political activities solely by protesting, direct demonstrating, and other social movement is rare.

In short, the notion of political activities among youth is shifting to a more creative direction, as this study found that a movement was initiated through social media to respond to a certain issue. One way to argue why this is happening because a lot of youth are apolitical as they differentiate between the context of their daily lives with political activism. From the survey result, average of 12.64% or 34 respondents think that starting a movement through a social media is an implementation of political activities.

Departing from the previous finding where respondents argue that having an awareness to popular issue as already a political activism, this following analysis wants to investigate further the types of popular issue. From 109 respondents or average 40.52% the majority of issues that were mentioned by respondents are socio-cultural types instead of political activism.

This finding contradicts assumption that political activities are mainly concerned only with political practical matters. An average 21.93% or 59 respondents argue that political activism is related with human rights issue. Subsequently, 14.5% or 39 respondents sees education issue as part of political activism. Environmental issue is chosen by 29 respondents or an average 10.78%. And religion issue is picked as political activism by an average 3.35% or 9 respondents. At the bottom of this hierarchy, health is considered as political activism only by 3 respondents or 1.12%

For this question, an open question was also opted to gather other types of category, which interestingly 7.43% or 20 respondents prefer this answer. To elaborate some of the answers, 5 respondents wrote that, “all issues that are mentioned above can be politicized”. Subsequently, other answers are related with state and governance such as ideology movement, power, legislative and executive election, bureaucracy. Whereas other answers are related with empowerment, energy, and corruption.

In exploring the concrete form of youth participating in political issue, joining a political party and demonstrate are the two least answers where an average 1.86% or 5 respondents and 1.12% or 3 respondents chose these options. Youth are starting to conceive that one of the ways to respond to political issue is by drawing petition and start a movement through social media. There are 29 respondents or an average 10.78% that prefer the former and 23 respondents picked the latter.

One of the interesting insights is that when responding to political issue, using media online is a quite popular alternative, whereas there are 208 respondents or an average 73% who agreed. This can be argued as a sign that youth are starting to shift their attention by responding to political issue through a technological approach which probably has already become the basis of our daily lives.

### **3. Digital Youth and Political Contestation**

One of the important findings is that the majority of respondents prefer to give an opinion in media online as a respond toward contemporary political issue. However, when they articulate political activism, mass media instead of media online is chosen as the primary source with average 44.83% or 130 respondents from the total population answer this option. In other words, there is a discrepancy between building political activism and expressing political activism.

The domination of mass media indicate that youth might be in a transition phase, where it has entered an era of technology however still utilizing conventional media. Accessing online media is a second choice with an average of 29% or 78 respondents. The rest of the respondents or 34 of them prefer to engage with political activism by enrolling in discussion forum, whereas 5.20% or 14 respondents engage with political activism through initiating movement.

In line with the aim of this study which is to portray youth political activism, online media as a new political activism is very appealing where 109 respondents elaborate their political activism in online media by



dissemination political information by retweet, share link and so on. The average of offline and online survey show a similar result.

The second most appealing political activism in engaging with online media is by following well known political figure, with an average of 21.93% or 59 respondents opt this answer. Interestingly, that there is a significant difference between online and offline survey for second option, third option, and so on and so forth.

For the second option, based on online survey only 21 respondents or 17.65% that engage with political activism through following well-known political figure. In fact, for online survey per se, the option of giving support towards a certain political issue (like, sign, and vote) is more popular with an average of 21.85% or 26 respondents chose this answer. The option of following well known political figure indicate that most of the youth are still concerned with receiving update regarding political issue.

The option of giving support through like, sign, and vote template as mention above is also part of activism engaging with online media. The data shows that about 48 respondents or average 17.84% chose for this option. Thus, for summary, the top third option, which is disseminating political information, following well know political figure and giving support to a certain political issue can be seen as a passive action because youth still position themselves as a follower over an issue and not yet have expressed their political opinion in online media. Furthermore, active politic act is shown by the fourth option which is propagate a political opinion where 39 respondents or an average 14.50 filled this option. For the most least option with 13 respondents or average 4.83% prefer to criticize a certain issue through a blog.

Further investigation about what type of issues have been responded through online media, socio-cultural issues are the most dominant ones with a percentage 33.83%, and then human rights issue with 11.90%, and education with 11.52%. Enviromental issue, religion issue, and health issue are the three most least populer with a percentage 8.92%, 5.95%, and 0.74%. The rest is accomodated with the open question as much of 5.20%. Astonishingly, there are 21.93% who are abstain. The open question is highly diverse covering animal welfare, law, unversity, and corruption issue.

The next activism is responding to issue where the majority of 49.07% said they would comment political issue. At this stage, youth still thinks that one of the concrete actions can do is by giving a comment in online media. However, for a community, the intention is expand one step further by propagating a certain opinion or draw petition.

They then will prefer to share or retweet to disseminate information verbatim or without edit, this option draws an average 17.84% respondents. Moreover, as much as 4.83% prefer to give a response through support or like and 4.09% chose silence.

The result also posits that youth feels comfortable to engage through online media. The majority of youth with average 72.12 or 194 respondents answer with this type of comfortable. The higher score comes from online survey with 78.99% and 66.67% from offline survey. On the other hand, an average 27.14% or 73 respondent's answer they do not feel comfortable engaging politically with online media and 2 respondents prefer not to answer this question. Investigating the factors behind the comfort reason, the majority of youth perceives that online media is efficient, simple, quick, cheap and can reach a broad audience instantly.

For the open question regarding discomfort in utilizing online media, they posit one of the factors is endless and shallow debate with other account. Furthermore, the ambiguity arising from law ITE (Information and Electronic Transfer) hinders their mobility because there is no certainty in rule of law.

After comfort and security issue when using online media has been investigated, then the comfort feeling of youth can be measured. As much as 59.11% feel safe in performing political activism in online media. Whereas only 39.78% feel not safe. If its explored further, then those who feel safe denotes that as long as commentary does not violate norms, one should feel safe, other answer is such as anonymous identity and is protected by law UU ITE.

The usage of online media sometimes is considered effective for some youth and vice versa. This is shown by the data below; as much as 69.89% feels that engaging with political activity through online media is effective, whereas 29% said to the contrary.

For coordination purpose, online media can also play a critical role. This study finds that 134 of 300 respondents (53.17%) postulates that the community where they are joined with coordinate through social media. At the same time, coordination such as chat group is highly popular as 86 respondents suggest it. And then, there is community that use posting on blog and website to coordinate according to 15 respondents (5.95%). Beside that, it is found community often use mailing list feature (2.38%) and web series (3.57%).

There is a relation with previous data regarding the type of online. the online media that is the most popular is social media. This consequently affects other aspects such as online media that is mostly popular for coordination is social media. Therefore, these two aspects affect each other whereas the result also show they are correlated. Beside that, the FGD result shows consistency just like the survey above.

JogjaBerkebun community and several other communities have used Twitter and other social media. Some of the activities that were started by these communities can expand through social media. After information is uploaded by a Twitter and Facebook account, the operator can multiply and disseminate information.

Several communities also utilize chat group, such as Blackberry Messenger (BBM) as the main means to disseminate information regarding community activities. Beside that, blog is often used to publicize community's activities. One of the FGD participants, EkspedisiMagz, even postulate that social media is the only facility they have used for socializing and publication since the beginning of the community. When other communities have tangible movement and program, and use the total of people that participate in their events as an indicator success, EkspedisiMagz has an indicator by looking on the total of download number of their electronic magazine.

Other data illustrates the distribution of coordination through online media. As much as 110 respondents (43.65%) agreed that the coordination of their community through virtual space is to expand their networks. On the other side, 84 respondents said that their interest in using online media is to bring together perception, opinion, and petition among community member. A total of 33 respondents (13.10%) admit that coordination through online media is to maintain their existence.

The finding above indicate that the primarily reason which influence coordination using online media is to expand networks. In line with the data, several communities in FGD said that social media is the solution to disseminate information about their community and activities. Indonesia is a vast country; therefore, it is impossible to bring all youth from every province into one location. Hence, the utilization social media is the perfect solution to reach other areas throughout Indonesia. Moreover, this situation is support with the high number of Facebook and Twitter users in Indonesia. Even beyond socialization, social media can be utilized to recruit new members of community.

Youth community is fully aware with the power of social media when they chose to use it. EkspedisiMagzcommunity for example realizes the potential of social media to expand networks when they discover that they receive a wide attention due to publication through social media. They even make a comparison with conventional mass media at the time, which is radio. It is proven that the benefit from radio is not as high as social media. From this situation, they realize the power of social media, not only as a publication tool but also as a communication and interaction tools with their readers.

Community Pull the String which focus on film media, fiction and social aspect employs a similar strategy to expand their networks. Related to their products such as video this community utilized Youtube as a social media

channel. The link from Youtube then will be synchronized with Twitter and Facebook. The result, their community won a video competition where the winner is determined through voting.

The analysis of this study is that the expansion process of networks is correlated with the sum of networks that is established by a community. In other words, this data helps to understand the tendency for youth to use online media to expand their networks. Although the scope of a community is local, but through online media, information and publication can disperse across the world.

As much as 37 respondents (14.68%) explain that the scope of networks of their community is international as can be seen on diagram above. Based on the diagram above, as much as 117 respondents (46.43%) have a community with national scope networks through their online media. Moreover, 92 respondents (36.51%) say that their community networks' scope is local. The rest, 4 respondents (1.59%) have a regional network.

In online media, boundaries between nations indeed become blurred. In their online media activities, youth community can enlarge their networks to an international level. Pull the String community denotes however that online media is not the only factor that helps to expand their networks. Online media is a supporting factor, whereas the determining factor is kopi darat (a phrase to address an mingling process which was set up first through online media). Starting from an online media and then followed up with kopi darat, that is the precise process on how networks expand. The reverse order where real interaction occurs first and then followed up subsequently through online media is possible.

In performing their activities online, a community has a specific issue, which becomes its focus. Their awareness on this issue then will be materialized through opinion and activities, which will be publicized through online media. In detail, there are 105 respondents (41.67%) that uphold social issue through online media. This figure overshadowed other issues, such as educational issue, which is the second most favorite with 43 respondents (17.06%). 33 respondents (10.45%) says their community address cultural issue, environmental issue with 25 respondents (9.92%), and 7 respondents (2.78%) saying religion issue. There are only 4 respondents (1.59%) that advocate health issue. Beside that, as much as 33 respondents (13.10%) post issue outside the six major issues, such as economy, sport and so on and so forth.

The data above shows the distribution of why community determined an issue as their main focus in online media. The most popular reason is a response toward social problems. This statement is picked by 195 respondents (77.38%). Next in line is related with trend which 28 respondents chose this option (11.11%). 20 respondents (7.94%) declared their community reason to pick an issue is to criticize the government's policy. It is also noted that 5 respondents (1.98%)

selected an issue is based on its support the government, and 2 respondents (0.79%) which respond to a private sponsor demand.

For example in EkspedisiMagz. This community states that from the beginning they intend to educate society through their magazine. They want to educate readers through phenomenon that they capture about Indonesia. They pitch a fact to the society and then let the society to decide whether a movement will emerge or responding to the fact they have pitched at the beginning. EkspedisiMagz in activities act only as an intermediary. They position themselves as an eye opener for society relating to social phenomenon in Indonesia. Their effort and political participation is to kindle consciousness of society which be followed all the way to the state.

## **Conclusion**

Respondents denote that online media is an asset, which there are several factors that explain the construction process behind such statement. Firstly, online media is a facility to maintain existence. Second, online media is a means to achieve the community's aim, which is to criticize and rally support. Third, social media is an alternative communication tool beside direct interaction. Online media is a space for direct discussion without worrying about time and space constraints. Fifth, with online media, community can recruit new member more easily. Beside these explanations, there are other reasons that unfold the advantage of online media for a community. On another hand, there are other communities that see online media not as precious asset. The majority of these respondents are more active in the practical world compare to virtual space.

From the discussion and analysis on digital youth and political activism, it brings to the conclusion that online media/digital is fundamental asset for sustainability of a community. Political activism is materialized through the usage of online media, communication between members, information dissemination, and activities publication. Through online political activism, youth can enhance their potential as well as expand their networks. As a result, online media is not merely an object now days but also a subject in an era of openness.

## ***Critical Note***

Youth has interacted on a global level using social media and reconstructing identity in a digital world. Several primarily issues that are highlighted are the tendency of average users of social media, issues that are collectively shared by various community, and reason behind respondents willingness to join a community.

The three main issues are interesting to be investigated where state's presence is low in analyzing social issues that are highly praised among youthcommunity, which reaches 33.46% or 87 respondents. This situation indicates that the state does not engage with issues where the communities are situated. On the other note, respondents joined with communities to enhance their self-potential, which means there is a gap for the state to intervene with comprehensive policy as 157 respondents (60.38%) answer this option.

The state can use political activism in social media as a measure to see the origin of youth and more importantly mobilize them to express their idea as what PERTAMINA has initiated through a website, apaidemu.com. Furthermore, Law ITE also needs to be ensured to protect youth activism as 39.78% of respondents in this study feel unsafe in expressing their opinion in online media.

Furthermore, the assumption that youth are becoming more apolitical is not entirely true, as 68.40% from the total respondents still engage with political issue, this is shown by activity such as real time interaction through online media where 77.32% of them engage through disseminating political information through retweet, share, link and so on.

Beside law that protects online media users, the state must innovates its bureaucracy through public relation for instance to approach these youth. The logic dictates that they never have meet face to face directly, but in online media the relationship between government and citizens become closer. Therefore, their needs to be an innovation in managing online media of government so policy dissemination can be distribute effectively to youth.

Lastly, social issue which is the most urgent issue for community mirrors the situation where state finds difficulty to descend to a lower level so it can engaged with stakeholders, what mostly happened is when a problem occur, community is obliged to fix the problem and the government abstain.

For routine activity, the majority of respondents prefer discussion, this is interesting because it signifies a character shift where community in the early months in 2000 prioritize demonstration, whereas today is more like an agent that assist the state for regional affairs which cannot be reached by the state. Through digital process and political activism, youth attempts to find the best solution over problems that are faced by the wider society

## **References**

- ASEAN, 2008, *ASEAN Economic Community Blueprint*, Asean Secretary, Jakarta
- Caporaso, & Levine, 1992, *Theories of Political Economy*, Cambridge University Press, Cambridge.

- Clark Paul, 2012, *Youth Culture In China From Red Guards to Netizens*, Cambridge University Press, Cambridge.
- Hamid, Usman, 2014, *Dinamo (digital nation movement)*, Bentang, Yogyakarta.
- Hines, Colin, 2005, *Mengganti Globalisasi Ekonomi menjadi Lokalisasi Demokrasi*, Insist Press, Yogyakarta
- Holmes, D, 2005, *Communication Theory Media, Technology, and Society*, Sage Pub, London.
- Ito, Mizuko et al. "Foreword." *Digital Youth, Innovation, and the Unexpected*. Edited by Tara McPherson. The John D. and Catherine T. MacArthur Foundation Series on Digital Media and Learning. Cambridge, MA: The MIT Press, 2008. vii–ix. doi: 10.1162/dmal.9780262633598.vii
- Lim, M. 2012. *The League of Thirteen: Media Concentration in Indonesia*. Research report. Tempe, AZ: Participatory Media Lab at Arizona State University. Available online at: [http://www.public.asu.edu/~mlim4/files/Lim\\_IndoMediaOwnership\\_2012.pdf](http://www.public.asu.edu/~mlim4/files/Lim_IndoMediaOwnership_2012.pdf).
- Mantra D, 2011, *Hegemoni dan Diskursus Neoliberalisme: Menelusuri Langkah Indonesia Menuju Masyarakat Ekonomi ASEAN 2015*, Mantra Press, Bekasi-Jawa Barat.
- Marketeers, 2014, *Majalah: Perang Kota Digital*, Edisi Juni.
- Mugasejati P, N & Praktikno, 2013, *Tegakkan Kembali Keadulatan Indonesia (laporan Rektor UGM dalam Dies Natalis ke 64)* tidak dipublikasikan, Majelis Wali Amanat UGM.
- Nugroho, Y, Syarif, S. 2012, *Melampaui Aktivisme click? Media Baru dan Proses Politik dalam Indonesia Kontemporer*, Berlin, Fesmedia Asia.
- Rachmawati & Ahdiat, 2014, *Penelitian Sosial Digital menelaah kehidupan Masyarakat di Era Teknologi Informasi*, Prapanca Research, Depok.
- Subrahmanyam & Smahel, 2011, *Digital Youth: The Role of Media in Development*, Springer, New York.
- Sue, V & Ritter, L, 2007, *Conducting Online Survey*, Sage Publication, Los Angeles
- Sugihartati, 2014, *Perkembangan Masyarakat Informasidan Teori Sosial Kontemporer*, Kencana Prenada Media Group, Jakarta.
- Thierry Desrues, 2012, *Moroccan Youth and the Forming of a New Generation: Social Change, Collective Action and Political Activism*, Mediterranean Politics, 17:1, 23-40, DOI: 10.1080/13629395.2012.655044
- Widhyharto, 2014, *Demokrasi on line-off line: Media baru, isu lama aktivisme politik kaum muda Yogyakarta*, Proceeding Konferensi APSII ke 3, Yogyakarta.
- Widhyharto, D, S & M, W, Adiputradkk, 2014, *Pemuda, Aktivisme Politik dan Media Baru* (laporan riset, tidak dipublikasikan), YouSure Fisipol UGM, Yogyakarta
- Wilhelm G, A, 2003, *Demokrasi di Era Digital*, CCSS-Pustaka Pelajar, Yogyakarta.







# **COMBATING INTOLERANCE IN INDONESIA: ENGAGING FAITH-BASED ORGANIZATIONS IN DEVELOPMENT AND SECURITY**

**RACHEL PALMER**

GEORGETOWN UNIVERSITY SCHOOL OF FOREIGN SERVICE



# **COMBATING INTOLERANCE IN INDONESIA: ENGAGING FAITH-BASED ORGANIZATIONS IN DEVELOPMENT AND SECURITY**

**Rachel Palmer**

Master's Candidate at Georgetown University School of Foreign Service

## **Introduction**

Home to the majority of the world's Muslims, Southeast Asia has served as a beacon of religious diversity, tolerance, and plurality for many years. Yet in recent times, the proliferation of violent religious groups with ties to foreign sources and donors has contributed to instability and conflict in the region. From Laskar Jihad and Islamic Defenders Front (FPI) in Indonesia to the Moro Islamic Liberation Front in the Philippines and Jemaah Islamiyah across the region, groups advocating violence as a means of pushing ideology have damaged the reputation of Southeast Asian Islam. Although a minority, these groups, often supported and funded by outside sources, incite sectarianism and have contributed to the breakdown of societal order and peace, posing a credible threat to the stability and prosperity of ASEAN. This paper examines Indonesia as a case study and will address growing influence of Wahabbi and Salafi Islam on Indonesia tied to decentralization – an unintended consequence of the unexpected political upheaval and change of the late 1990s – and discuss the implications of growing conservative Islamic movements on societal norms, women's rights and the rights of religious minorities, and ASEAN security. It will detail the ideologies of Wahhabism and Salafism, and then discuss the onset of Gulf ideological expansionism in the 1970s to Southeast Asia. The paper will then elaborate on Indonesian Islam, particularly the revival of Islam in the 1970s and influence of Salafi and Wahhabi Islam on Indonesian efforts to create an Islamic identity. It then discusses the consequences of this drastic political change, democratization and decentralization, in regards to religious violence, gender-based discrimination and violence, minority rights, and the implications for ASEAN security and development efforts. The paper argues that hence it is crucial for ASEAN to engage faith-based organizations, particularly Islamic institutions, in promoting sustainable development that eliminates the factors that contribute to the proliferation of violence. Faith-based organizations can be a key force in combating religious violence and contributing to sustainable development initiatives because of their relevance to and visibility within their own communities. It is thus essential that ASEAN utilize Islamic faith-based actors in future development and peacebuilding efforts, working with these organizations on the ground to promote security, human rights, interfaith collaboration, and sustainable development.

## **Indonesia and Religiously-Inspired Terrorism**

In 2002, the bombings at a nightclub in Bali that killed over 200 people, predominately Western tourists, ignited fear in the hearts of Western governments that Islamic extremism was on the rise in Southeast Asia (Hefner 2009). Coming on the heels of the 9/11 attacks, the violence in Bali appeared to confirm Western suspicions that the world was facing a global terror threat. Indonesia, the world's largest Muslim country, was immediately placed on the list of countries harboring or sponsoring terrorism by the US Department of State and other Western governments. As tourism rates declined in the following years, the Indonesian government began to crack down on suspected extremists, arresting those responsible for the attacks in Bali and vocally and publically condemning religious violence.

In the years after the Bali bombings, the government's publicized condemnation of religious extremism has earned Indonesia praise from Western policymakers, journalists, think tank scholars, and politicians alike for being a representative model of a progressive, liberal Muslim democracy. Yet in spite of the progress, Indonesia is undergoing changes that scholars have been slow to observe, particularly in regard to religious identity and tolerance for minorities. Democratization and decentralization of the state has led to the emergence and strengthening of political and social factions, as groups that were repressed under the previous regime have emerged strong and vocal. Most strikingly, women's roles within society are changing, as local government leaders implement bylaws that restrict women's actions under the guise of religion. While it would be unfair and generalizing to make assumptions, as Western governments did in 2002, that Indonesia breeds terrorists or that the majority of Muslims adhere to fundamentalism, there is growing evidence that Salafi and Wahhabi ideology is spreading in the archipelago. Whether this is directly related to Saudi investment and interference in the region is unclear and requires further research. However, there is no denying that conservatism, be it from external or internal sources, is growing.

Violence, too, has continued. Despite government efforts to curb extremism, fundamentalists, believed to be associated with Jemaah Islamiyah, struck again in 2003 by bombing a Marriott hotel in Jakarta, in 2004 through bombing the Australian Embassy, and in 2005 through another string of bombings in Bali. More recently, in the summer of 2009, extremist groups bombed the Ritz Carlton hotel in Mega Kuningan, the heart of Jakarta's business and financial district. Although Indonesia continues to conduct raids and crack down on extremists, the violence and radicalism has not stopped. In fact, violence against minorities and Indonesian citizens has increased in recent years. In order to understand this

developing trend, it is necessary to study the ideologies behind Islamist political and religious violence.

### **Wahhabism vs. Salafism**

Wahhabism is a Sunni Islamic ideology and practice that adheres to the teachings of Muhammad ibn Abd al-Wahab, an 18<sup>th</sup> century Islamic scholar who advocated “a ‘return’ to the pure and orthodox practice of the ‘fundamentals’ of Islam, as embodied in the Quran and in the life of the Prophet Muhammad” (Blanchard 2). Wahhabism is the main Islamic ideology practiced in Saudi Arabia, and promotes a strictly literalist interpretation of the Qur’an and Hadith (Blanchard 2). Followers of Wahhabism are often staunchly anti-Shiite, and believe their religious practices to be the only true and correct practice of Islam (Woodward, et al. 2010).

Salafism (or *Salafiyyah*), similar to Wahhabism, arose in the 19<sup>th</sup> century from societal pushes for Islamic reform. Like Wahhabism, Salafism focuses on the purification of Islam and literalist interpretation of Islamic texts. Salafis, according to Christopher Blanchard, a foreign affairs analyst for the Congressional Research Service, “generally believe that the Quran and the Prophet’s practices (*hadith*) are the ultimate religious authority in Islam, rather than the subsequent commentaries produced by Islamic scholars that interpret these sources. Salafiyya is not a unified movement, and there exists no single Salafi ‘sect.’” (Blanchard 2007). Salafism, although not necessarily violent, has contributed to the development of radical ideologies and movements, including al-Qaeda and the Taliban, both of which have advocated violence as a means of reforming society and purifying Islam (Blanchard 2007).

Noorhaidi Hasan has a slightly different definition. According to him, Wahhabism is an offshoot of Salafism and the two are much more closely related and less distinguishable.

Wahhabism itself constitutes one trend in the Salafiyya (purification) movement, whose aim is to “regenerate Islam by a return to the tradition represented by the pious forefathers (*al-Salaf al-Salih*).” The foundation of this movement, which is also often referred to as *islah* (reform) and *tajdid* (renewal), was established by a number of classic Salafi articulators [who]...advocated a return to pure Islam and to the understanding of doctrine on the basis of the Koran, the Sunna, and the traditions of the *Salaf al-Salih*. Their efforts inspired Muhammad ibn al-Wahhab...to launch the so-called Wahhabi movement in the eighteenth century. With a puritanical spirit, ibn al-Wahhab urged his followers, also known as Wahhabis or *Muwahhidun*, to fight against superstitions prevalent in Arabian society and

to attack those who claimed to be Muslim but whose behavior was, in their view, un-Islamic. Indeed, they took a hard line in defining who could be regarded as a believer, stating that no deviation from the Sharia was permitted, and they drew a firm distinction between the world of believers and that of unbelievers (Hasan 2007).

The two movements, because of their similarities, are often used interchangeably by scholars, the media, and policymakers. For the purposes of this essay and owing to the combined influence of both movements and ideologies on Indonesian conservative Islamic movements, the terms will be used interchangeably in this essay.

Wahhabism and Salafism are often discussed in a derogatory manner, as they focus on literalist interpretations of the Qur'an and Hadith, and oppose cultural variations and interpretations of Islam (Woodward, et al. 2010). Such strict delineations of what constitutes true Islam has caused Wahhabis and Salafis to clash with other Muslims (Woodward, et. al. 2010, Blanchard 2007). Additionally, Wahhabi Islam is considered "an international threat because the ideas it propagates are seen to encourage intolerance and justify violence and to be irrational and basically inimical to US interests...In particular, the concept of jihad was found to legitimize militancy and violent activities..." (Ismail 2008).

One could argue that Wahhabism could be considered like any other ideology and that it poses no threat to others, particularly those who hold to different ideologies. Why does it matter, advocates argue, whether someone interprets the Qur'an and Hadith literally and practices Islam accordingly? In his article, "Muslim Education, Celebrating Islam and Having Fun as Counter-radicalization Strategies in Indonesia," Mark Woodward argues that Wahhabism does not promote violence.

The tendency to associate [Wahhabism or Salafism] or both with violence is an inaccurate and extremely regrettable overreaction on the part of some Western observers as well as mainstream and progressive Indonesian Muslims. It is true that most violent extremists hold Wahhabi religious views. But it is also true that only a very small percentage of the people who hold Wahhabi religious views are violent extremists (Woodward, et al. 2010).

Woodward is right – scholars and policymakers alike should be hesitant to label all followers of Wahhabism and Salafism as potential extremists. At the same time, since the 1970s, Saudi Arabia has played a significant role in both funding extremism and promoting radical Wahhabi and Salafi ideology across the

world. Without knowledge and understanding of this, it would be difficult to understand current challenges Indonesian Islam is facing.

### **Wahhabism, Salafism, and Saudi Expansionism**

The 1970's brought tremendous changes in Islam across the Middle East, particularly in Egypt and Saudi Arabia, as groups pushed for political and religious reform (Hasan 2008). The US-Soviet proxy pushed nationalists, ideologues, and revolutionaries together, as *mujahidin* from around the world came to Afghanistan to fight against the Soviet infidels. This unexpected globalization allowed Muslims around the world to exchange ideas and share their differing views on Islamic doctrine and practices, including radical ideology (Brenner 2011, Warnk 2009).

As Wahhabism and Salafism grew stronger in Saudi Arabia, the Saudis embarked on a campaign to promote Islamic ideology in non-Arab regions. They provided education, scholarship, funding for mosques, and curriculum for Islamic schools, ensuring that the Saudi version of Islamic theology and values would be taught in the regions in which the nation invested (Hasan 2008).

Religious aspects of this movement [Indonesian Wahhabism] and efforts to establish a Saudi-style Islamic state are supported by the Saudi government, charities and individuals through scholarships, development aid, subsidies for schools that teach Saudi style Wahhabi Islam as well as other financial enticements. Since the 1970s, there have been enormous flows of funds from Saudi Arabia to Indonesia in support of this agenda (Woodward 2010).

Woodward calls this "Wahhabi Colonialism," as Saudi Arabia uses development aid as a tool of coercion and influence. Today, one of the main criticisms against Saudi Arabia is the continued practice of providing development aid with strings attached; the Saudis will provide funding for schools and mosques, provided those institutions strictly adhere to a Saudi version of Islam (Wahhabi or Salafi) (Woodward et al. 2010). Gerard Clarke, in quoting Eric Neumayer's study on aid from Arab countries, estimates that "Arab countries...provided an average of 1.5 per cent of GNP per annum as net official development assistance between 1974 and 1994, significantly more than most DAC [Development Assistance Committee, which includes the US, UK, and Germany] members" (Clarke 2006). This has an impact on the use of aid money within recipient countries.

To understand how Wahhabi and Salafi Islam have influenced Indonesian Islam, we must first examine the history and context of Indonesian Islam.



## **Islam in Indonesia: From Sukarno and Suharto to *Reformasi* and Beyond**

Islam arrived in Indonesia with Arab traders in the mid-14<sup>th</sup> century. For the next several centuries, Indonesian Islam was characterized by syncretism – a unique combination of moral Islamic values with local traditions and cultures, particularly from Java. By the 19<sup>th</sup> century, interpretations of Islam had diversified as people traveled out of the region and encountered followers of other Islamic traditions (Woodward et al. 2008). Mark Woodward explains that Wahhabi Islam came to Indonesia in three “waves”:

Al-Wahab’s teachings have been known in Indonesia since the early nineteenth century....it is likely that they were brought over to what is now Indonesia by pilgrims returning from Mecca...A second wave of Wahhabi influence reached Indonesia in the early twentieth century. Muhammadiyah [one of Indonesia’s largest national Islamic organizations] was founded in 1912 and combines Wahhabi understandings of the Unity of God and ritual practice with modernist social and educational agendas....[The] third wave differs from its predecessors in that it is supported by a foreign state [Saudi Arabia] with enormous resources and seeks to establish cultural hegemony as well as religious orthodoxy. In this respect, Muhammadiyah and PPMWI [a prominent Indonesian Islamic boarding school] could not be more different from the “New Wahhabism” because both have integrated al-Wahab’s religious teachings and Indonesian, and more specifically Javanese, culture (Woodward, et al. 2010).

It is this third wave that causes concern both inside and outside Indonesia, because it indicates a shift in traditional Islamic values from a syncretic form of Islam to a foreign-influenced, more orthodox version that seeks to displace current practices of Islam.

Noorhaidi Hasan, Associate Professor at the SunanKalijaga State Islamic University of Yogyakarta in Indonesia, discusses the development of the Salafi movement in Indonesia in the 1960s. He explains that Indonesia underwent a period of Islamic reform during the 1960s and 70s, as religious leaders and teachers sought to remodel Islamic education in a way that incorporated both secular and religious curricula into Islamic school programs (Hasan 2008). The creation of the Indonesian Council for Islamic Propagation (DDII) enabled the Saudis to work directly with the organization to promote Islamic values and Arabized Islam.

The preconditions that had been created by the DDII provided a foundation on which Saudi Arabia could develop its Wahhabi influence to a greater extent. Particularly

disquieted by the widespread impact of the Iranian revolution among students at Indonesian universities, the kingdom attempted to reinforce its influence in Indonesia, for which purpose it set up the Lembaga Ilmu Pengetahuan Islam dan Bahasa Arab (LIPIA, Institute of Islamic and Arabic Studies) in Jakarta in 1980 (Hasan 2008).

Holger Warnk confirms this in his article as well:

When the Indonesian Islamic Mission Council (Dewan Dakwah Islamiyah Indonesia, [or DDII]) was founded in 1967, it received significant financial backing from Saudi Arabia to build mosques and establish madrasah together with free copies of the Qur'an and Wahhabi textbooks for educational institutions or to train Indonesian preachers...Especially in the field of madrasah schools, the impact of Middle Eastern connections has been felt more strongly since the 1980s (Warnk 2009).

Likewise, Hasan explains how Saudi funding for the DDII contributed to the spread of Saudi Islamic teachings and ideology in Indonesia, which in turn sparked a revival of Islam, particularly among students:

[T]he DDII enjoyed Saudi support for the development of da'wa activities [activities for the spread of Islam], including the construction of new mosques, the founding of madrasahs, the distribution of free copies of the Qur'an and other books, the training of preachers, and similar works. These activities in turn contributed to the spread of the spirit of Islamic resurgence. The impacts of the intensification of Islamic revitalization launched by the DDII were felt most significantly on university campuses, which witnessed the rapid expansion of Islamic activism, marked by the increase in students' readiness to observe Islamic obligations (Hasan 2008).

With the fall of Indonesia's dictator, Suharto, in 1998, Indonesia's rapid progression into democracy and decentralization allowed Islamic groups that previously had been repressed to come out into the open and exercise democratic freedoms (Brenner 2011). Brenner explains:

Although liberal and conservative Muslims have often been at odds with each other in their interpretations of Islamic morality, both have used the recently acquired freedoms associated with democratization to advance their interests (Brenner 2011).

## **My Democracy, Your Democracy, Whose Democracy? Democratization's Contributions to Radicalism**

Since 9/11, Western pundits, government officials, and political theorists have been quick to attribute violence in Muslim-majority countries to the incompatibility of democracy and Islam, arguing that Muslims cannot be democratic or that functioning democracies cannot be built on religious principles. Scholar Suzanne Brenner disputes this claim, arguing that Indonesia's problem is a political problem, not a religious one. Rapid decentralization and democratization has caused instability in some sense; as more groups and social actors clamor to make their voices heard and to exercise their right to political participation, the central state continues to face increasing challenges. As a result, groups who had been repressed and silenced under the Suharto regime take advantage of freedom of speech and press to push their agenda.

How has democratization spurred the surge of conservative and fundamentalist Islam? The newfound freedoms of the postauthoritarian period combined with the dynamics of global Islam have together incited a conservative backlash in the cultural sphere and allowed for the growth of fundamentalism. The loosening of the state's suppression of political Islam has led to a revival of earlier calls for the implementation of Shari'a in Indonesia's legal codes. It has also enabled the appearance of militant Islamic groups, some of which have physically attacked a variety of targets, including churches, nightclubs, upscale hotels, and gatherings of gay and transvestite Indonesians (Brenner 2011).

Brenner also points out that “[m]any Muslim liberals and conservatives agree that Islam and democracy can be productively conjoined to create a society that is truly moral – a stance that sets them apart from more militant Muslims...” (Brenner 2011). But often times, these groups disagree on how democracy and Islam should interact and complement each other (Rinaldo 2011, Brenner 2011).

Decentralization and democratization have had both positive and negative effects. For instance, newly gained freedom of speech and of the media post-revolution enabled Indonesians to openly criticize the government and social and political policies without fear of imprisonment or retribution. Newspapers, such as the Jakarta Post, the Jakarta Globe, Tempo, and Kompas, rapidly flourished under the new democracy. However, freedom of speech and the accessibility of media and internet technology also gave fundamentalists, like FPI and Laskar Jihad, a platform for their ideas, allowing them to reach a broader base and make views once considered those held by a tiny fraction of the population to be widely heard. At the same time, Indonesian newspapers, particularly the Jakarta Post and Jakarta Globe, have been outspoken in their criticism for and condemnation of radical groups, drawing awareness to challenges to freedom and democracy. Democratization and decentralization, thus, have created both freedoms and challenges for the archipelago.

## Evidence of growing radicalism in Indonesia

What evidence exists for the growing presence of Wahhabism and Salfism in Indonesia?

The beginning of the 21<sup>st</sup> century saw a wave of religious violence across the country. Hefner writes:

Following the collapse of President Soeharto's "New Order" regime (1966-May 1998), however, radical Islamist paramilitaries (*lascar*) with ties to conservative [Indonesian] Islamic boarding schools (*pesantren*) sprang up in cities and towns across the country. In a few places, the militants got into pitched street fights with Christians, democracy activists, and the local police. Several dozen Islamic boarding schools also initiated campaigns to dispatch mujahidin fighters from Java and Sumatra to the eastern Indonesian provinces of Maluku and North Maluku, where, from 1999 to 2003, almost ten thousand people died in fierce Christian-Muslim violence (Hefner 2009).

When fighting between Christians and Muslims in Maluku escalated, Hefner writes that the conflict was exacerbated by the intervention of foreigners, particularly those from the Middle East where Wahhabi and Salafi ideologies were prevalent.

In early 2000, the Maluku conflict entered a new and more dangerous phase, as outsiders channeled money, men and arms to both parties in the conflict. Conservative Islamists in the nation's capital met secretly and agreed to provide funding to the newly established Laskar Jihad...Neo-Wahhabis with spiritual ties to Salafiyah scholars in Saudi Arabia, Yemen, and Pakistan, the group enjoyed the backing of several prominent military retirees (Hefner 2012).

A couple notorious *pesantren* (Islamic boarding schools) have been under tremendous criticism for promoting violence and producing terrorists, as several persons responsible for the 2002 Bali bombings, the series of bombings between 2003 and 2006, and the 2009 Jakarta bombings at the Ritz Carlton hotel have studied there. One such *pesantren* is PondokPesantren Al-Mukmin in Central Java, home to Abu Bakar Ba'asyir, a radical cleric who vocally advocates for the use of violence against Western hegemony and Indonesian state authority (Woodward, et al. 2010). Ba'asyir has been suspected of promoting radicalism both in Central Java and in Aceh, and was suspected of raising over \$110,000 to

purchase weaponry, explosives, and firearms and set up training camps for radical members of society (Sangadji 2011). In addition, ties between Ba'asyir and Jemaah Islamiyah implicated the leader in contributing to the bombings of the early 2000's, in addition to allegations that Ba'asyir had run a jihadist training camp in Aceh.

Although scholars argue that Indonesia is on the road to peace, as the Maluku and Poso conflicts have ended and Indonesia is no longer on the US State Department's list of terrorist countries, many Indonesians feel that violence and extremism are on the rise. Despite criticism from human rights organizations and Western governments, Susilo Bambang Yudhoyono (commonly referred to as SBY in Indonesia) has been repeatedly criticized for being too lax on extremists, particularly members of FPI. Indeed, many scholarly articles that refer to Indonesia's backlash against terrorism and extremism were published several years ago during the first few years of the new millennium, and have not taken recent and rapid developments in society. For instance, violence and tension is on the rise again in Poso, the site of violent Muslim-Christian conflict in the late 1990's. In January 2013, police arrested three men and confiscated 21 bombs in Enrekang, a region outside Poso. ("21 bombs confiscated..."). Later in June 2013, a suicide bomber attempted to blow up the Poso police office (Sangadji 2013). The Jakarta Post released a scathing criticism of the Indonesian government, in which it argued that Jemaah Islamiyah was still in operation in Poso and had been recruiting new members through indoctrination and radical teachings (Sangadji 2012). Additionally, churches across the country have been repeatedly been attacked or threatened, and the government has often been slow to respond. For instance, unidentified persons threw Molotov cocktails at three churches in Makassar, South Sulawesi back in February 2013 (Hajramurni 2013).

Furthermore, local governments in Java have passed ordinances and laws that restrict the rights of religious minorities. A regent in the province of Aceh called for the closure of dozens of churches in the region, sparking concern over religious freedom ("Regent orders churches close, destroyed in Aceh"). Brennan affirms that local governments are implementing elements of Shari'a and laws that target minorities, particularly women, as a consequence of decentralization:

Another indication of the headway made by conservative factions has been the introduction of Shari'a-influenced bylaws in various parts of Indonesia in the past decade...The ability of local and provincial governments to implement such laws stems from the decentralization of government that has occurred in the postauthoritarian period and the movement toward regional autonomy that was formally instituted in 2001 (see Salim 2003:222-224) (Brenner 2011).

These changing legal norms and allegations of increasing violence run contrary to the values enshrined in the Indonesian constitution and the very essence of Pancasila, which calls for equality and religious pluralism. Influenced by Gulf interpretations of Islam, such incidents threaten the very core of Indonesian identity, harmony, and ASEAN security.

### **Democratization and Gender: Implications of Salafism and Wahhabism for Indonesian Women**

One of the most striking and yet under-researched topics is the intersection of democratization, Salafi and Wahhabi Islam, and gender in Indonesia. Considering the consequences of Saudi promotion of radical values in Indonesia, the growth of Salafi and Wahhabi Islam has potentially large implications for gender roles and women's rights in Indonesia. Brenner argues that political and social disruption often cause societies to put women in the spotlight as objects of scrutiny and moral debate (Rinaldo 2011, Brenner 2011). In the case of Indonesia, issues like female sexuality, pornography, and gender-based violence give communities an opportunity to create a scapegoat on which to peg societal problem – women (Brenner 2011, Rinaldo 2011).

Democratization has contributed to increasing restrictions in women, as local provinces and districts implement their own versions of Shari'a-based laws that target women's freedom and rights (Brenner 2011). These restrictions include dress codes for women that narrate a specific interpretation of Islamic norms, restriction of women's ability to be out at night, and the implementation of a law that legalized female genital mutilation (FGM).

#### *Islamic dress and modesty standards, and restrictions on women's movement and freedoms*

Growing conservative adherence to Islam can be seen in the adoption of Arab-style clothing for women. Brennan explains that there is increasing pressure for women to dress according to specific standards of Islamic principles, although such principles reflect a very narrow interpretation of Islamic ideology.

Many of the local and regional bylaws focus disproportionately on women's dress, movement in public space, and behavior, with implicit or explicit connections to sexual morality, leading gender activists to complain that the laws in Aceh and elsewhere discriminate against women (interview, Sandra Hamid, September 9, 2005; Viviani 2001) (Brenner 2011).

Additionally, there is growing evidence that Salafi and Wahhabi teaching regarding Islamic dress is being directed toward youth through mediums of literature and popular culture. An excellent example of this is "Yuk, Berhijab!,"

an Islamic book for Indonesian girls on being a *hibaji* (Arabic slang for a girl who uses *hijab*). Propped up in on a display in the center of Gramedia, one of Indonesia’s largest book distributors, it demanded attention from passerby, particularly young women, with its bright pink cover and anime-style illustrations. The book details the do’s and don’t’s of Islamic modesty for women, promoting a very conservative viewpoint that bans pants, form-fitting shirts, and short headscarves for women as being un-Islamic (Siauw 2013). Below is an excerpt from the book demonstrating which headscarf fashions the author claims are *haram*, or forbidden, for Muslim girls. The excerpt cheekily provides a checklist for Muslim girls to follow to ensure they are properly following Salafi and Wahhabi dress codes for women (Siauw 2013).

**Figure 1. Checklist for teenage girls who are following Shari’ah guidelines for modest dress**

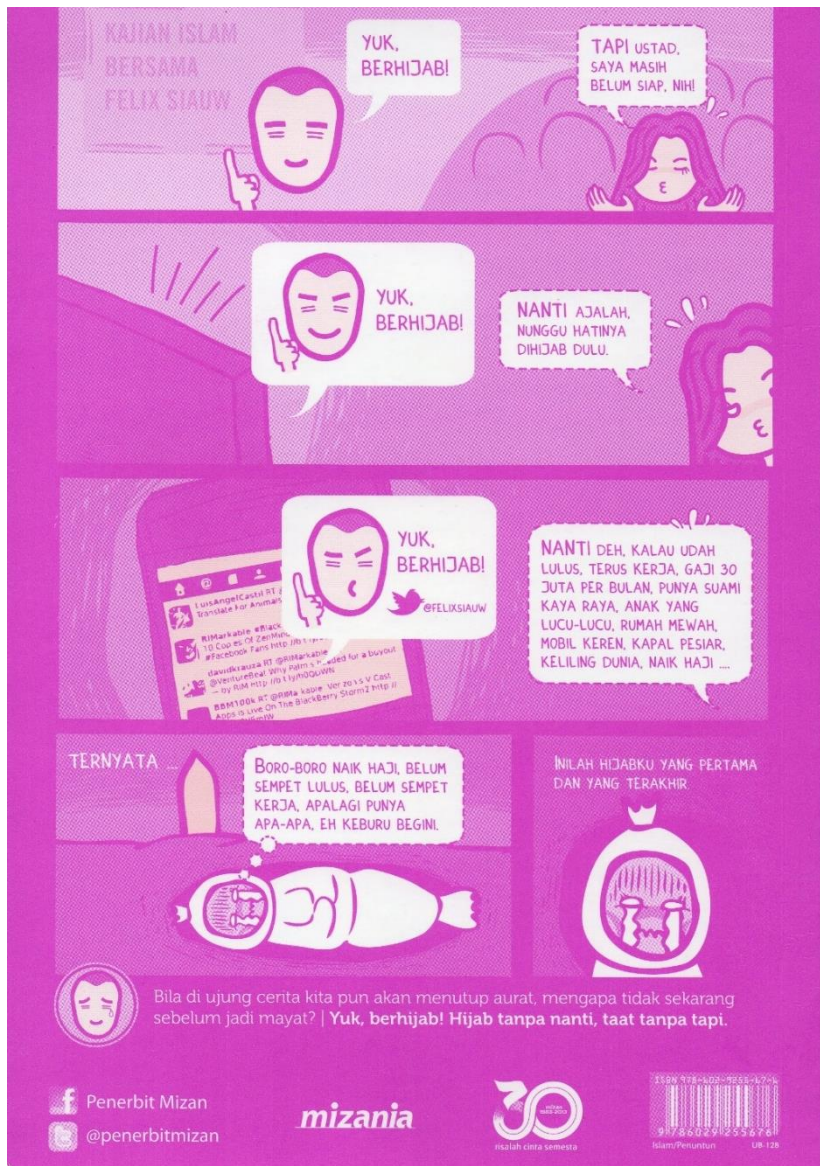


In this chart, the author indicates which *hijab* styles he claims are banned for Muslim girls. These scarf fashions that the author decries are not only popular in Indonesia, but in the Middle East as well.

In the box in the bottom left corner, the author advises girls not to wear *hijab* that resembles headscarves of non-Muslims, specifically Jewish women and Catholic nuns.

Although the book appears light-hearted and fun, it also presents veiled threats directed at the reader that infer lack of adherence to the proscribed dress codes will result in one's inability to enter Heaven upon death. On the back cover of the book, there is a cartoon strip featuring a dialogue between a female student and her male instructor.

**Figure 2. Discussion between male teacher and female student regarding wearing *hijab***



In the cartoon dialogue, the girl and her teacher are arguing over the student's refusal to wear *hijab*. The translation for the dialogue is as follows:

Teacher: "Wear *hijab*!"



Student: “But teacher, I am still not ready!”

Teacher: “Wear *hijab*!”

Student: “I will later, but I am waiting for my heart to be ready for *hijab*!”

Teacher: “Wear *hijab*!”

Student: “I will later, when I have graduated, have employment, a salary of 30 million [Indonesian rupiah] per month, a rich husband, cute children, mansions, cool cars, been on a cruise, have traveled around the world, gone to Mecca on Hajj...” (Siauw 2013).

The final scene in the cartoon strip shows the female student after death as a *pocong*, an Indonesian ghost trapped between the living world and the heavenly afterlife. The ghost laments, “This *hijab* [I wear] is my first and my last” (Siauw 2013).

The implications in a seemingly innocent cartoon script are profound. The excuses the student provides for why she won’t wear a veil – she’s not yet ready, her heart is not in the right place (in other words, she has not reached a level of devotion between herself and God to warrant wearing a headscarf) – have impeded her from entering Heaven. The girl will remain a ghost, trapped between worlds, because her refusal to wear a scarf has kept her out of Heaven.

Books like this that are tailored to young students, perhaps of middle or high school age, provide a very narrow set of guidelines for proper practice of Islam. What is most deceptive about the book is the way in which it presents information regarding Islamic values and norms. It is not outright labeled as a book on Salafi interpretation of *shari’ah*, or Islamic law, but the cultural and religious ideology are there. In the book, there is no middle ground, nor room for dissenting views; one must choose either long, Salafi-style veils or no veil, right or wrong, heaven or hell. For pluralism and multicultural Indonesia, this presents a serious problem.

Brenner also discusses how local governments have passed laws that restrict women’s movement and add a sexual undertone to women’s behavior, creating a culture of victim-blaming and humiliation as women are treated as though their actions may promote immoral behavior.

In parts of Java, Madura, Sulawesi, Sumatra, and elsewhere, bylaws have been proposed or passed requiring women to wear modest Islamic dress in public places such as schools, banks, and offices and subjecting them to curfews that prohibit them from going out alone in public at night. In some cases, women who have violated the curfews while on their way to or from work or while visiting

relatives have been harassed and humiliated or even arrested after being falsely accused of illicit behavior such as prostitution (Noerdin 2002; Robinson 2009) (Brenner 2011).

### *Female genital mutilation*

In 2010, under pressure from hardline Islamic groups like FPI, the Indonesian government revoked its own ban on female genital mutilation (FGM) by passing a law that legalized FGM and placed it within the hospital medical practice sector (Amnesty International). This legislation was in direct violation of international human rights standards and regulations, as pointed out by Amnesty International in its press statement response to the legislation.

This new regulation by the Ministry of Health (No. 1636/MENKES/PER/XI/2010) concerning female genital mutilation, issued in November 2010, runs counter to the government's steps to enhance gender equality and combat discrimination against women in all its forms. It violates a number of Indonesian laws, including Law No. 7/1984 on the ratification of the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Law No. 5/1998 on the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); Law No. 39/1999 on Human Rights; Law No. 23/2002 on Child Protection; Law No. 23/2004 on the Elimination of Domestic Violence; and Law No. 23/2009 on Health. It also runs counter to a 2006 government circular, No. HK.00.07.1.3. 1047a, signed by the Director General of Community Health, which specifically warned about the negative health effects of female genital mutilation on women (Amnesty International).

The practice has mistakenly been associated by Muslims and non-Muslims alike as part of Islamic practice, as is evident by the statement made by the deputy leader of MUI, the Indonesian Ulema Council. But not all Indonesians agree with him:

“Circumcision is a part of the Islamic teachings that were recommended for Muslims, both male and female,” Amrisyah said at MUI headquarters as quoted by Antara news agency. “The MUI and Islamic organizations in the country firmly stand against any efforts to ban female circumcision,” demonstrating a very narrow interpretation of Islam (“MUI pushes...”) Separately, the executive

director of the Wahid Institute, Ahmad Suaedy, disagreed, saying that the practice was based on fiqh (Islamic jurisprudence) that could be interpreted differently by different ulemas. “Female circumcision is not in the sharia. Maybe, the MUI drew their conclusions from a fiqh that was applied in a particular context and region,” he told *The Jakarta Post* on Monday. (“MUI pushes...”)

Some organizations are using a health-based rather than a religious-based approach to combat FGM, arguing that there are serious health implications for cutting girls:

The study findings did not reveal any clear immediate or long-term physical or psychological complications of FC for girls or women. However, direct observation of procedures showed that FC practice in Indonesia certainly involves pain and real genital cutting in about three-quarters of cases. This evidence, and the fact that it is done without the consent of the girl and without clear health benefits or religious mandate is enough to ix classify this act as a violation of human rights, specifically children’s rights and women’s sexual and reproductive rights. The practice of FC in Indonesia can therefore be said to violate the rights of the child as guaranteed under the Convention on the Rights of the Child, which was ratified by Indonesia in 1990.” (Population Council/USAID report).

It is clear that combatting the practice of FGM will require efforts from both the international community, religious organizations, and health practitioners to protect women’s rights and dispel the myth that FGM is a religious practice.

### **Implications for ASEAN Security**

Although this paper focuses on Indonesia as a primary case study, the growing trend of religious extremist violence with ties to the Middle East is not limited to Indonesia alone. Other countries in the ASEAN network have also seen a growth in violence related to Wahhabi and Salafi ideology. In the Philippines, the decades-long conflict between the Moro Islamic Liberation Front and the Filipino government saw an influx of assistance aid from the Gulf to groups like Abu Sayyef that promoted radical ideology and violence (Abuza 2014). Both Al-Qaeda and Jemaah Islamiyah have played a role in exacerbating the conflict and promoting radicalism. In Thailand, separatist insurgents have contributed to the escalation of violence between Thai government forces and the Muslim minority in the south (“Muslim insurgents launch 50 attacks”). While initially the conflict

centered on an independence movement, in recent years, it has attracted the assistance of foreign extremist fighters. Again, the presence of Wahhabism or Salafism in a country does not necessarily indicate that there will be religious violence or intolerance within the borders of that country. Yet there is a direct connection between Gulf ideology and the violent religious extremism present in Southeast Asia. This security threat deserves attention from the members of ASEAN.

### **Countering Radicalism: Faith-Based Organizations as Actors in Development and Security**

If religious radicalism is indeed a threat in Southeast Asia, how then should ASEAN address the issue in order to better ensure security and prosperity in the region? In order to effectively combat violence fueled by religious radicalism, it is important to examine the roles of faith-based organizations (hereafter referred to as FBOs) in promoting sustainable development and security. FBOs can be valuable contributors to long term security efforts because of they tend to be locally based, they design and implement projects for the long term instead of the short term, and fill gaps in society that could otherwise lead to violence, instability, and conflict. Erik van Ommering articulates the important dynamic that FBOs (more specifically, faith-based educational institutions, or FBEIs) bring to development and security in his article titled “The Roles of Faith-Based Educational Institutions in Conflict Transformation in Fragile States”:

FBEIs generally stand out in providing education in settings where states are unable or unwilling to do so. They build on longstanding commitments towards, and a thorough embedding in, local communities, both of which are decisive to sustainable processes of conflict transformation. The religious background of FBEIs offers not only a source of resilience and determination that allows these organisations to operate under volatile circumstances, but also social capital and moral authority that is employed in political lobbying and advocacy, spiritually-based efforts at peace-building and reconciliation, mobilization of communities, and the distribution of aid (van Ommering 2009).

As van Ommering alludes, FBOs play an important role in conflict resolution and prevention, through acting as intermediaries and mediators and facilitating dialogue and discourse. Katherine Marshall, Executive Director of the World Faiths Development Dialogue, stresses that such institutes can be “brokers of peace, as “[a] common humanity discovered through common faith beliefs...can be a key to reconciliation and peace” (Berkley Center Report,

Bangladesh 2011). Appealing to core common values and ethical principles, which faith-based organizations often stress, can humanize conflict and bring about reconciliation.

FBOs also contribute to sustainable development and infrastructure by managing projects and providing services that governments normally provide to their citizens – “filling gaps” in society that would otherwise cause tension and impede progress. Van Ommering explains that FBOs provide training and services to members of communities around the world, contributing to development and infrastructure building:

Moreover, FBEIs play a role in life-skill training, raising awareness of risks to health and well-being, offering moral and spiritual relief, and supporting dialogue and cooperation between schools, communities, governments, and religious authorities. In post-conflict settings, FBEIs are responsible for in structural peacebuilding and reconciliation projects, promotion of human rights, inclusive education, and curriculum development, and the monitoring of quality education, amongst others (van Ommering 2009).

Additionally, FBOs often promote gender inclusion and sensitivity, managing programs that promote social change and protection from gender-based violence by incorporating women into programming and raising awareness of key issues that affect women (Berkley Center Report).

FBOs have proven to be successful in contributing to sustainable development and peacebuilding in various countries, making the model of engaging faith actors in development a worthy one to replicate. In Rwanda, for example, FBOs played a significant role in helping the country recover from the 1994 genocide and years of mistrust and tension between Hutus and Tutsis by facilitating reconciliation and recovery. Brynn Muir argues that FBOs shaped the post-genocide dynamics of the country and directed it along a path of reconciliation, without which Rwanda could have easily fallen into years of relentless vengeful warfare.

Since [these] NGOs were quick with their response after the conclusion of the genocide, they found themselves in a unique position which would allow them to be some of the most powerful influences on the reconciliation effort and to shape the way reconciliation programs grew out of the crisis. Because they were the first groups who could effectively lead large groups of people toward a particular method of reconciliation, the forgiveness norm appears to have become that of the NGOs (Muir 2010).

Similarly, in Somalia, Islamic organizations replace the government as the distributor and facilitator of social welfare. Clarke mentions that “Islamic NGOs play an important role in providing social services in the absence of an effective state. Almost all schools, for example, are privately run and Islamic NGOs play a vital role in channeling Arab funding to them” (Clarke 2006).

FBOs have continually played a significant part in state building and welfare, making them an essential and irreplaceable part of the development and security process.

### **Combating Violence in Indonesia: Notable Contributions of Local Faith-Based Organizations**

Indonesia itself provides a wealth of examples in regard to the effectiveness of FBOs in development and security initiatives that combat religious radicalism and intolerance for minorities. In spite of the efforts of hardline Islamic Salafi and Wahhabi groups to redefine and restrict women’s rights, there is a growing reactionary movement on the part of more liberal Islamic NGOs that focus on merging human rights and tolerance with Islamic principles and values. RifkaAnnisa is one such example. Located in Yogyakarta, not far from the famous Al-Mukminpesantren where AbubakrBa’syir taught his radical ideas of an Indonesian Islamic state, RifkaAnnisa works on ending discrimination toward and violence against women. The organization focuses on a wide variety of issues, including domestic violence, marital rape, women’s empowerment, and community organizing (Brenner 2011). RifkaAnnisa runs a women’s crisis and domestic violence center, provides counseling for local women in the community, and manages economic empowerment projects. One major success of the organization was the passage of Indonesia’s anti-domestic violence bill, “which criminalized marital rape” (Brenner 2011).

Likewise, the Fahmina Institute, a community NGO based out of the *pesantren* Dar al Tauhid in Cirebon, West Java, also focuses on combating religious intolerance and gender-based violence, and promoting gender equality (Brennan 2011). The institute produces curricula in Indonesian and English on reinterpreting the Qur’an and Hadith from the lens of social justice and gender equality, and runs several community outreach programs (see Fahmina Institute website). Recently, the organization produced “*Dawah Fiqh Concerning Women: Manual for a Course on Islam and Gender*,” a training curriculum for women’s rights activists that teaches activists how to advance women’s rights and gender equality through Islamic teachings and norms (Fahmina Institute website). In addition to its publications, the organization actively works with local schools to instruct children on tolerance and peacebuilding, using Islamic values and principles as the core foundation of their instruction.

Rahmina is another Islamic feminist organization that works to fuse Islamic values with gender equality. Brenner states that the organization is “one of the most visible Islamic gender-rights organizations to emerge in the post-Suharto era...[and its vision] is to realize a democratic society [that] is marked by the fulfillment of women’s rights as human rights” (Brenner 2011). One of the key issues that the organization handles is “the introduction of Shari’a-based laws in local and regional codes,” recognizing that one of democracy’s unintended consequences is the ability of local governments to repress the rights of minorities in the name of religion and majority authority (Brenner 2011).

In addition, the Institute for Inter-faith Dialogue promotes discourse between different religious traditions and aims to educate Indonesians about different faith traditions and practices. The organization facilitates lectures and conferences, as well as distributes publications to educate the public on Indonesia’s various religions (see Institute for Inter-faith Dialogue website).

These organizations are only a few examples of Indonesian FBOs that have taken on the responsibility of social welfare, combating violence, and peacebuilding. It is essential that future development and security initiatives in Indonesia engage FBOs in combating religious extremism and promoting peace.

### **Involving the international community: Opportunities for engagement and dialogue**

In order to make a substantial and sustainable impact on combating extremism and promoting tolerance, the international community must engage Indonesia in both bottom-up and top-down approaches. The international community needs to work with community-based organizations and NGOs at the ground level, such as the Fahmina Institute and RifkaAnnisa, to advocate on behalf of women and minorities and help combat Salafi and Wahhabi ideology. By working with already established local organizations, international organizations and actors can avoid potential criticism that the West is interfering in Indonesian culture and society. Pushing for change from the bottom up will help enable local actors to take action and implement projects that are best for their communities and that address specific needs and challenges. Additionally, it is crucial that the international community hold Indonesia to international human rights standards, reminding the country of its commitment to the various agreements it has signed, particularly in regards to protection of women’s and religious minorities’ rights. Furthermore, as the security issues Indonesia faces affect the region, it is vital that the members of ASEAN incorporate collaboration with faith-based organizations into future initiatives, recognizing the inherent value of these organizations in promoting development and security.

## **Conclusion**

While it is clear that Gulf ideology has contributed to radicalism in Indonesia, particularly in regards to violence and the promotion of radical behavior, it remains unclear whether growing conservatism in regards to gender roles, gender-based violence, and religious intolerance is directly related to increasing Gulf investment and influence in the region. It seems likely that, given the investment of Saudi money in promoting radical ideology and spreading Wahhabism and Salafism in Indonesia, there is a correlation between Saudi investment and changing gender norms and minority rights in Indonesia. However, little data currently exists for this hypothesis, and further research is needed to examine the possible connection between these two patterns. In the meantime, increased support for community-based organizations and local NGOs working on the ground is needed from the members of ASEAN to combat extremist ideology. Efforts to promote social justice, equality, need to be backed by international support to give the international community, particularly ASEAN, leverage against potentially undemocratic and discriminatory practices against minorities and women.



## Bibliography

- Abuza, Zachary. "The Moro Islamic Liberation Front (MILF) and Security in Southeast Asia." United States Institute for Peace. <<http://www.usip.org/events/the-moro-islamic-liberation-front-milf-and-security-in-southeast-asia>>. 2014.
- Amnesty International. "Indonesia Must Repeal Female Genital Mutilation Law." 24 June 2011. <<http://www.amnesty.org.au/news/comments/26036/>>.
- "Ba'asyir raised Rp 1 billion to fund terror: prosecutors." *The Jakarta Post*. 14 February 2011. <<http://www.thejakartapost.com/news/2011/02/14/ba039asyir-raised-rp-1-billion-fund-terror-prosecutors.html>>.
- Bano, Masooda. "Co-Producing with FBOs: Lessons from state-madrasa engagement in the Middle East and South Asia." *Third World Quarterly* 32.7(2011). 1273-1289.
- Berkley Center for Religion, Peace and World Affairs. Global Development and Faith-Inspired Organizations in South and Central Asia: Meeting Report. Dhaka, 2011.
- Blanchard, Christopher M. The Islamic Traditions of Wahhabism and Salafiyya. CRS Research Report for Congress. Congressional Research Service. 17 Jan. 2007.
- Brenner, Suzanne. "Private Moralities in the Public Sphere: Democratization, Islam, and Gender in Indonesia." *American Anthropologist*. 113.3 (2011): 478-490.
- Budiman, Manneke. "Treading the Path of the Shari'a: Indonesian Feminism at the Crossroads of Western Modernity and Islamism." *Journal of Indonesian Social Sciences and Humanities*. 1(2008): 73-93. <<http://www.kitlv-journals.nl/index.php/jissh/index>>.
- Clarke, Gerard. "Faith Matters: Faith-Based Organisations, Civil Society and International Development." *Journal of International Development*. 18(2006): 835-848.
- Clarke, Gerard. "Trans-faith Humanitarian Partnerships: The Case of Muslim Aid and the United Methodist Committee on Relief." *European Journal of Development Research*. 22.4(2010): 510-528.
- Corbett, Sarah. "A Cutting Tradition." *The New York Times*. 20 Jan. 2008. *The New York Times Online*. <[http://www.nytimes.com/2008/01/20/magazine/20circumcision-t.html?\\_r=0](http://www.nytimes.com/2008/01/20/magazine/20circumcision-t.html?_r=0)>.
- Fahmina Institute. <<http://fahmina.or.id/en/>>.
- Hajramurni, Andi. "Molotov cocktails thrown at three more churches in Makassar." *The Jakarta Post*. 15 February 2013. <<http://www.thejakartapost.com/news/2013/02/15/molotov-cocktails-thrown-three-more-churches-makassar.html>>.
- Hasan, Noorhaidi. Ed. Roel Meijer. "Ambivalent Doctrines and Conflicts in the Salafi Movement in Indonesia." Global Salafism. New York, NY: Columbia University Press, 2009. 169-188.

- Hasan, Noorhaidi. Ed. Madawi Al-Rasheed. "Saudi Expansion, the Salafi Campaign, and Arabised Islam in Indonesia." Kingdom without Borders: Saudi political, religious, and media frontiers. New York, NY: Columbia University Press, 2008. 263-281.
- Hasan, Noorhaidi. "The Salafi Movement in Indonesia: Transnational Dynamics and Local Development." *Comparative Studies of South Asia, Africa and the Middle East*. 27.1 (2007) 83-94
- Haworth, Abigail. "The day I saw 248 suffering genital mutilation." *The Guardian*. 17 November 2012. *The Guardian Online*. <<http://www.theguardian.com/society/2012/nov/18/female-genital-mutilation-circumcision-indonesia>>.
- Hefner, Robert W. Ed. Shahram Akbarzadeh. "Islamic radicalism in a democratizing Indonesia." Routledge Handbook of Political Islam. New York, NY: Routledge, 2012. 105-128.
- Hefner, Robert W. Ed. Robert W. Hefner. "Islamic Schools, Social Movements, and Democracy in Indonesia." Making Modern Muslims: The Politics of Islamic Education in Southeast Asia. Honolulu, HI: University of Hawai'i Press, 2009. 55-105.
- Hefner, Robert W. Ed. Robert W. Hefner. "The Politics and Cultures of Islamic Education in Southeast Asia." Making Modern Muslims: The Politics of Islamic Education in Southeast Asia. Honolulu, HI: University of Hawai'i Press, 2009. 1-54.
- Human Rights Watch. In Religion's Name: Abuses against Religious Minorities in Indonesia. New York, NY: Human Rights Watch, 2013.
- Institute for Inter-Faith Dialogue. <http://www.interfidei.or.id/>
- Ismail, Salwa. Producing 'Reformed Islam': A Saudi Contribution to the US Projects of Global Governance. Kingdom Without Borders. New York, NY: Columbia University Press, 2008. 113-134.
- Marshall, Katherine. "Education for All: Where does religion come in?" *Comparative Education* 46.3(2010). 273-287.
- Lim, Merlyna. Ed. Barry Rubin. "Radical Islam in Indonesia and its Middle Eastern Connections." Islamic Political and Social Movements. New York, NY: Routledge, 2013. 201-213.
- McAmis, Robert Day. Malay Muslims: The History and Challenge of Resurgent Islam in Southeast Asia. Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 2002.
- "MUI pushes government to circumcise girls." *The Jakarta Post*. 22 Jan. 2013. <http://www.thejakartapost.com/news/2013/01/22/mui-pushes-govt-circumcise-girls.html>
- Muir, Brynn. "Faith & Reconciliation: A Study of Christian Forgiveness in Post-Genocide Rwanda." *Independent Study Project (ISP) Collection*. School for International Training. Paper 888. 2010.
- Rinaldo, Rachel. "Muslim Women, Moral Visions: Globalization and Gender Controversies in Indonesia." *Qualitative Sociology*. 34.4 (2011): 539-560.
- Robinson, Kathryn. Gender, Islam, and Democracy in Indonesia. New York, NY: Routledge, 2009.
- Sangadji, Ruslan and YuliasriPerdani and Bagus BT Saragih. "Suicide bombing hits restive Poso." *The Jakarta Post*. 04 June 2013.

- <<http://www.thejakartapost.com/news/2013/06/04/suicide-bombing-hits-restive-poso.html>>.
- Sangadji, Ruslan and Bagus BT Saragih. "Moderate Islam losing ground to extremists in Poso." *The Jakarta Post*. 13 November 2012.
- <<http://www.thejakartapost.com/news/2012/11/13/moderate-islam-losing-ground-extremists-poso.html>>.
- Saragih, Bagus BT. "Regent orders churches closed, destroyed in Aceh." *The Jakarta Post*. 13 June 2012.
- <<http://www.thejakartapost.com/news/2012/06/13/regent-orders-churches-closed-destroyed-aceh.html>>.
- Siauw, Felix Y. Yuk, Berhijab!: Hijab Tanpa Nanti Taat Tanpa Tapi. Ujungberung, Bandung (Indonesia): Mizania, 2013.
- Warnk, Holger. "Alternative Education or Teaching Radicalisation? New Literature on Islamic Education in Southeast Asia." *Journal of Current Southeast Asian Affairs*. 28.4 (2009): 111-132.
- Woodward, Mark, Inayah Romaniyah, Ali Amin, and Diana Coleman. "Muslim Education, Celebrating Islam and Having Fun as Counter-Radicalization Strategies in Indonesia." *Perspectives on Terrorism*. 4.4(2010): 28-50.
- The Population Council and USAID. Female Circumcision in Indonesia Report: Extent, Implications and Possible Interventions to Uphold Women's Health Rights. Jakarta, Indonesia: The Population Council and USAID, 2003. <[http://pdf.usaid.gov/pdf\\_docs/PNACU138.pdf](http://pdf.usaid.gov/pdf_docs/PNACU138.pdf)>.
- Van Bruinessen, Martin, ed. Contemporary Developments in Indonesian Islam: Explaining the Conservative Turn. Singapore: Institute of Southeast Asian Studies, 2013.
- Van Ommering, Erik. "The Roles of Faith-Based Educational Institutes in Conflict Transformation in Fragile States." Research report. ICCO Alliance. Working Group Religion and Education. 2009.
- Van Wichelen, Sonja. Religion, Politics, and Gender in Indonesia. New York, NY: Routledge, 2010.
- "21 bombs confiscated in S. Sulawesi." *The Jakarta Post*. 09 January 2013. <<http://www.thejakartapost.com/news/2013/01/09/21-bombs-confiscated-s-sulawesi.html>>
- "Muslims insurgents launch 50 attacks in Thailand's deep south." *The Telegraph*. 18 February 2013. <<http://www.telegraph.co.uk/news/worldnews/asia/thailand/9877429/Muslim-insurgents-launch-50-attacks-in-Thailands-deep-south.html>>.

# **ASEAN AND AMERICA'S PIVOT TO ASIA: CREATING NEW HYBRID IDEOLOGIES?**

**KAZUHISA SHIMADA**

OKAYAMA UNIVERSITY



# **ASEAN AND AMERICA'S PIVOT TO ASIA: CREATING NEW HYBRID IDEOLOGIES?**

**Kazuhisa Shimada<sup>70</sup>**

## **Abstract**

Non-interference in domestic affairs has been a sacrosanct tenet for the Association of Southeast Asian Nations (ASEAN) since its inception in 1967. However, a new movement has come up among member countries since China has increased its influence in Southeast Asia; in particular, its recent maritime activities in the South China Sea. In the 1990s, ASEAN countries and western countries strongly argued with each other over the so-called Asian value. At that time, non-interference in domestic affairs was the central argument. Two decades on, ASEAN and western countries are working closer, and they are forging new hybrid ideologies because of the growth of China's influence in the region.

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<sup>70</sup>Associate Professor at Okayama University, Japan and Visiting Research Fellow at the University of Adelaide, Australia.

## Introduction

It has been said that there is cultural difference between Asia and the West.<sup>71</sup> In the 1990s, the member countries of the Association of Southeast Asian Nations (ASEAN) argued with western countries over the political attitude towards the people. The central arguments were human rights conditions and the democratic system in the countries of Southeast Asia. The two sides argued whether or not there was a specific value applicable to the Asian countries' political system called 'Asian value'.<sup>72</sup> The leaders in Southeast Asia, such as the Malaysian Prime Minister, Mahathir Mohammad, the Singaporean Prime Minister, Lee Kuan Yew, and the Indonesian President, Suharto, insisted that there was a specific value inspired by local culture. However, no decisive definition of it had been developed at that time. Rather, an anti-colonial sentiment had cast a shadow over this argument. In other words, the underlying problem of the argument was not the existence of Asian value itself, but the persisting Southeast Asian sentiment that western countries had directed Southeast Asia to follow the values and principles they imposed.

Actually, the states of Southeast Asia had struggled with policy autonomy in their international environments since their independence.<sup>73</sup> It seemed to the people of Southeast Asia that western countries, most of whom were the former suzerains of Southeast Asian countries, had interfered in the internal affairs of Southeast Asian countries. In addition to annoying political interference, the proxy war caused by the Cold War system devastated the land in the Indochina Peninsula. The then Thai Foreign Minister, Thanat Khoman, stated their situation as: '[T]he Cold War...came into being without...the advice and consent of the smaller powers'.<sup>74</sup> With this situation, countries of Southeast Asia wanted to avoid political and military interference from outside of the region, particularly from the United States and the Soviet Union. In this regard, non-interference became the principal tenet of the countries in Southeast Asia.

In 1967, ASEAN was established as a regional initiative and has become the first successful regional cooperation led by Southeast Asia. Because of the international environments, ASEAN emphasised the importance of not interfering in the domestic issues of other countries.

Since Asia has become a centre of the economic growth in the world after the collapse of the Cold War structure, ASEAN shouldered the principal responsibility for this new regional order. The Association expanded its membership to the communist countries in the Indochina Peninsula whereas it

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<sup>71</sup> Tamotsu Aoki, p. 280.

<sup>72</sup> See for example, Akio Watanabe; Samuel P. Huntington; and Mahathir and Shintaro Ishihara.

<sup>73</sup> Donald E. Weatherbee, p. 22.

<sup>74</sup> Thanat Khoman, pp. 141-155.

took the leadership of the establishment of the broader political and security cooperation, ASEAN Regional Forum (ARF) in 1993. The new regional cooperation is managed by the 'ASEAN's principles', in which non-interference in the member's domestic issues is the central doctrine. Whereas western countries were willing to become a member of the ASEAN-led regional forum, they blatantly criticised the ASEAN's strict adherence to its own principles. The leaders of ASEAN strongly reacted against this western criticism, and the argument had been developed as Western value versus Asian value. However, there was no conclusion at that time because western countries diminished their voice when Southeast Asia faced the financial crisis.

In addition to Asian value, the ASEAN leaders were proud of the specific code of conduct based on local traditional culture. It is called the ASEAN Way, and is used when the Association makes decision in various contexts. The ASEAN Way basically aims to maintain a peaceful and amicable atmosphere among member countries, and it is completely different from the critical voices the western countries use. The ASEAN-led regional cooperation, such as the ARF and East Asia Summit (EAS), both of which accommodate western membership, are run according to the ASEAN Way. The ASEAN leaders adopted both Asian value and the ASEAN Way as a specific value based on local culture, whereas western leaders have questioned this argument.

Chinese influence has been increasing in every aspect of life in Southeast Asia in recent years. In particular, China has shown an aggressive attitude towards territorial disputes in the South China Sea, which has affected regional peace and stability in Southeast Asia. The Obama administration announced America's 'Pivot to Asia' policy because the US leadership is needed more than ever to maintain peace and security in the region.<sup>75</sup> The countries in Southeast Asia basically welcomed America's active engagement in the region for balancing Chinese growing influence.<sup>76</sup> At this stage, the United States and other western countries showed their respect to Southeast Asia by acceding to the Southeast Asian-made security treaty known as the Treaty of Amity and Cooperation (TAC). The TAC enshrines the specific idea of regional security that ASEAN countries developed. In particular, it includes the idea of non-interference in the internal affairs of other countries, which was the central argument between the West and Southeast Asia in the 1990s. The US and other western countries also joined the EAS, the ASEAN-led regional cooperation, which run according to the ASEAN Way.

Twenty years on, the western accession to the TAC and its membership of the EAS show a sharp contrast to the Asian value debate. In the meantime, ASEAN established the ASEAN Charter in 2007, which shows the Association's

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<sup>75</sup> Kourtni Gonzalez and Jon Tollestrup.

<sup>76</sup> Sheldon Simon, p. 51.



responsibility to the member states' internal affairs, such as human rights and democratisation.

The fact of western countries' signing the Treaty and their joining the EAS, on one hand, and ASEAN's determination to be involved in the domestic issues of the member countries, on the other, show that both sides have come closer to each other to reduce the difference fuelled in the 1990s. It is a sign of what the National Intelligence Council predicts as one of the world's future scenarios, creating 'new hybrid ideologies'.<sup>77</sup> Indeed, China's aggressive maritime activities in the South China Sea has encouraged the US and ASEAN to create fusion from their differences.

This article describes the Chinese factor in facilitating mutual understanding between Western and Southeast Asian countries from the historical point of view. In addition, it argues for the closer relationship between western and Southeast Asian countries to help the two sides create 'new hybrid ideologies'.

### **Western accession to the TAC and its membership of the EAS**

Western countries had deemed that ASEAN's methods of regional cooperation were not workable. However, the first western accession to TAC, by Australia and New Zealand in 2005 changed their position dramatically. After the two western signatories of Australia and New Zealand, European countries joined, as did the US in 2009.<sup>78</sup> The western countries, Australia, New Zealand and the US, had also taken up a membership of ASEAN-led regional cooperation, the EAS after signing the TAC.<sup>79</sup> These facts show that the western countries accepted the ASEAN's methods and its centrality in regional cooperation in Asia.

The TAC enshrines the principal codes of conduct of ASEAN.<sup>80</sup> It is composed of ideas such as non-interference, and mutual respect for equality and closer understanding among member countries. When the Treaty was made in 1976, most of the countries in Southeast Asia were newly independent after World War II. Because of the Cold War antagonism in the Indochina Peninsula, the

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<sup>77</sup> National Intelligence Council, p. 13.

<sup>78</sup> As of 1 September 2014, the TAC signatories outside of ASEAN are Australia, Bangladesh, Brazil, China, East Timor, European Union, France, India, Japan, Korea, Mongolia, New Zealand, North Korea, Norway, Pakistan, Papua New Guinea, Russia, Sri Lanka, the United Kingdom, and the United States. Australia and New Zealand joined in 2005, France in 2007, and the UK and the EU in 2012.

<sup>79</sup> The EAS was composed of 16 countries: ASEAN countries, Japan, Korea, China, India, Australia and New Zealand at its inception in 2005, and now expanded its membership to Russia and the US in 2011.

<sup>80</sup> The ASEAN Way, which is non-verbal, is another principal code of conduct. For the detail of the ASEAN Way, see for example, Amitav Acharya, Mely Caballero-Anthony, and Kazuhisa Shimada.

founding countries of ASEAN were facing the imminent danger of the expansion of the Vietnam War. By seeing the devastation occurring in Vietnam, the leaders of ASEAN strongly hoped to avoid a proxy war at home. ASEAN countries needed to protect the political and military intervention by the external super powers, the US and the Soviet Union, which had given rise to the desolation in Vietnam. The ASEAN leaders declared that they would create a peaceful and harmonious environment in the region in order to avoid intervention by these external powers. These ideas are enshrined in the TAC.

When the western countries showed their respect for the ASEAN's specific value of regional cooperation, some TAC signatories in Southeast Asia posed the question if they still need to adhere to the principle of non-interference.<sup>81</sup>

### **The Establishment of ASEAN Charter and ASEAN Community**

While ASEAN had successfully secured their centrality of regional cooperation in East Asia,<sup>82</sup> China's growing influence (in particular, its economy) in Asia cast a shadow on ASEAN's leadership in the eyes of the countries outside.<sup>83</sup> In addition to the rise of China itself, the Association has been annoyed with Chinese aggressive attitude in the South China Sea. The current Chinese maritime activities are based on power politics rather than rule-based behaviours. Since four member countries are involved in the dispute, ASEAN needs to make 'a new, more coherent collective force to the organisation'.<sup>84</sup> The ASEAN Charter, which is composed of the 55 articles, shows the Association's determination to follow this path.

The 2007 ASEAN Charter includes the article of the establishment of a human rights body (Article 14). This article gives rise to the ASEAN's long-standing code of conduct: non-interference with each other's domestic issues. ASEAN shows its intention to improve the issue raised by the western countries in the 1990s. In other words, the human rights article in the Charter allows the Association to interfere in the internal affairs of the member countries related to human rights, the transparency of the decision-making, and the disclosure of political process. These are linked with democratisation, which the Charter also stipulates in the Section 13 of Article 1.

Although the article related to non-interference remains in the Charter,<sup>85</sup> some ASEAN countries recognised that the Association should 'play a role in preventing and responding to major humanitarian emergencies' in the region

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<sup>81</sup> Alex J. Bellamy and Catherine Drummond, p. 196.

<sup>82</sup> Susumu Yamakage, p.173.

<sup>83</sup> Donald E. Weatherbee, p. 107.

<sup>84</sup> *Ibid.*

<sup>85</sup> See, the Section 2(e), Article 2 of ASEAN Charter.

when Cyclone Nargishit Myanmar in 2008.<sup>86</sup> While the Myanmar government refused international aid at first, the Association successfully opened up the door to Myanmar for humanitarian aid. This ASEAN's response showed the emergence of a new concept replacing the Association's conventional value of non-interference in domestic affairs.<sup>87</sup> This was a clear contrast with the Association's acceptance of Myanmar's membership in 1997 when the Burmese government closed its eyes to the human rights abuse at home.

Democratisation in Southeast Asia was also the main issue during the Asian value debate. In particular, authoritarian regimes were dominant at that time in Southeast Asia, such as Suharto in Indonesia, Mahathir Mohammad in Malaysia and Lee Kuan Yew in Singapore. However, after the collapse of the Suharto regime, Indonesia improved its democratic condition very rapidly.<sup>88</sup> In Singapore, a subtle sign of the democratisation was seen in the 2011 general election.<sup>89</sup> The Singaporean Prime Minister, Lee Hsien Loong, stated that the government should listen to the people's voice during his election campaign. His political attitude is in stark contrast to that of his father, former Prime Minister Lee Kuan Yew, who believed that the government should make the policies based on their belief rather than the people's voice.<sup>90</sup> Myanmar, which used to be the most notorious country for human rights abuses in Southeast Asia, loosened its authoritarian attitude towards the people when Thein Sein became the Prime Minister in 2011. In the same year, Hillary Clinton, the American Secretary of State, visited the new Burmese Prime Minister for the first time in 50 years to show America's welcome to Burma's democratic shift. The ASEAN Charter is quite rule-based having 55 articles, whereas the Association had been characterised as informal.

The Association intends to build the ASEAN Community in 2015, composed of three pillars of the ASEAN Political-Security Community (APSC), the ASEAN Economic Community (AEC) and the ASEAN Socio-Cultural Community (ASCC). The ASEAN Community encourages the people's political and community participation. The APSC is expected to be the security community based on democracy. The basis of the APSC is formed by each member country.<sup>91</sup> The democratic system in each country needs the political and community participation of the local people.

ASEAN countries are going to be democratic at home as well as involve themselves in the internal issues of member countries. In other words, 'engagement and cooperation' are their basis of diplomacy of Southeast Asian

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<sup>86</sup> Alex J. Bellamy and Mark Beeson, pp. 270-274.

<sup>87</sup> *Op. Cit.*, p. 275.

<sup>88</sup> Masaaki Okamoto, p. 31.

<sup>89</sup> Keiko Tamura, p. 55.

<sup>90</sup> Keiko Tamura, p. 45.

<sup>91</sup> Tsutomu Kikuchi, p. 84.

countries today because the deepening interdependence of the economy causes countries to benefit from advancing their involvement in each other in various aspects.<sup>92</sup> These changes are welcomed by western countries and create harmonisation with the western value.

### **The ASEAN Way: Another Code of Conduct**

The ASEAN Way is a code of conduct in the Association. Although there is no written text, it is composed of the frequent use of consultation for consensus and face-saving behaviour.<sup>93</sup> The ASEAN Way was created based on the historical context present in the region. Most of the countries in Southeast Asia became independent after the Pacific War. While the leaders of Southeast Asia countries struggled with their nation building at home, they did not have much confidence with their policy of nation building. In this regard, the leaders of ASEAN needed to show their people that the policies were going in the right direction for the country. In the meantime, they had to avoid criticism against their policies from other (intra-regional and extra-regional) countries. The ASEAN Way has been developed in ASEAN to save the leaders' face. The concept of the ASEAN Way is strongly linked with the ASEAN's principle of non-interference in the domestic affairs of other countries.

The ASEAN countries have maintained a low-key attitude towards other member countries in various situations, such as ministerial meetings and press conferences. While most of the countries of ASEAN are successful with their nation building by achieving high economic growth and social development, this code of conduct still exists as ASEAN's central tenet. The US and western countries showed their respect for ASEAN's way of doing things by joining the ASEAN-led regional cooperation, such as the ARF and the EAS. Since these regional organisations agreed to be managed according to the ASEAN Way, western countries showed their acceptance that international organisations in Asia can be managed by the local procedures. This fact also shows the sign of western willingness to respect the ASEAN's way of behaviours.

### **ASEAN as a Global Swing State**

Although the US government reiterated that the peaceful rise of China is welcomed, the rivalry between China and America over the western Pacific region is obvious. The US recognised that its role is to 'enhance the appeal of the West's core principles for other cultures'.<sup>94</sup> The America's pivot to Asia is understood in

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<sup>92</sup> Tsutomu Kikuchi, p. 86.

<sup>93</sup> Kazuhisa Shimada, p. 114-116.

<sup>94</sup> Zbigniew Brzezinski, p. 97.

the context that the US has tried to accommodate China by securing its friendly nations around China, which share US values.<sup>95</sup> Those who influence the power balance are named as the global swing states. The global swing states are 'the states that matter most' for the western countries.<sup>96</sup> The Association of Southeast Asian Nations as well as Indonesia can be regarded as swing states.<sup>97</sup> We can see how much the US has taken efforts to maintain the security status quo in Southeast Asia by increasing troops in the Philippines, making a new security agreement with Singapore, and stationing troops in Darwin, Australia. Indonesia is one of the leading countries and the largest population in ASEAN. In particular, after its financial reform caused by the 1997 Asian financial crisis, Indonesia's democratic value influenced other member countries.<sup>98</sup> Indonesia also sought to actively promote democracy in Muslim countries. According to the words of former President Yudhoyono, 'Indonesia can be a model where Islam and democracy exist hand in hand, with no contradiction between the two.'<sup>99</sup> The democratic system is already set forth in the Philippines and Thailand, and there is a hint of democratisation in Singapore and Myanmar. In other words, half of ASEAN countries have already recognised, or are expressing, the importance of the democratisation at home as well as ASEAN's determination of its involvement in the internal affairs of the member countries.

While countries in Southeast Asia are reshaping their values to those of western countries, China has maintained a critical position towards the western system. Beijing warned Southeast Asian countries not to take western values on trust by pointing out the 2014 Thai political turmoil as an example of the chaos the western system has brought.<sup>100</sup> China is creating its soft power, although it is not successful yet, to influence on the developing countries.<sup>101</sup> Beijing is seeking to change the current international rules in the international organisations in order to fit China's value.<sup>102</sup>

### **Deterrence of the value fusion created by the Thai political turmoil in May 2014**

With the Thai military coup of 22 May 2014, the United States strongly criticised the Thai military government and called for a speedy return to democracy. The US Secretary of State, John Kerry, urged, 'the restoration of

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<sup>95</sup> *Ibid.*

<sup>96</sup> Daniel M. Kliman, p. 53.

<sup>97</sup> Tsutomu Kikuchi, pp. 81-85.

<sup>98</sup> Ted Piccone, pp. 82-83.

<sup>99</sup> Susilo Bambang Yudhoyono, "Indonesia's President: 'We Can Be Model for Islam and Democracy,'" *CNN World*, June 15, 2011, cited from Ted Piccone, p. 7.

<sup>100</sup> Amy Sawitta Lefevre, Web, 1 June 2014.

<sup>101</sup> Randall L. Schweller and Xiaoyu Pu, pp. 52-54.

<sup>102</sup> Randall L. Schweller and Xiaoyu Pu, p. 54.

civilian government immediately, a return to democracy'.<sup>103</sup> In the meantime, the US government cancelled scheduled military exercises with Thailand and various high-level visits.<sup>104</sup> European countries followed America's reaction by suspending official visits to the country as well as the broad Partnership and Cooperation Agreement. Khunying Songsuda Yodmani,<sup>105</sup> the daughter of former pro-US Thai Prime Minister Thanom Kittikachorn, criticised the United States for 'meddling' in Thailand's internal affairs.<sup>106</sup> In addition, she advocated that the US should 'respect its allies and treat them as equals rather than its colonies'.<sup>107</sup> Her message reminds us of ASEAN's reaction against the western criticism on Southeast Asian human rights condition in 1990s.<sup>108</sup> In addition, western reactions against the Thai coup caused the Thai leaders to lose face, which is against the ASEAN's way.

ASEAN member countries behaved with a low-key attitude towards the Thai 2014 coup in accordance with the ASEAN Way. Most of them showed that the Thai political turmoil was an internal affair, which no one should impose any sanctions on.<sup>109</sup> The leaders of the member countries did not refer to this coup in the ASEAN Ministerial Meeting in August 2014.

While the rift between Thailand and western countries aggravates, China has taken this opportunity to deepen its military links with Thailand. China is approaching US allies in Southeast Asia so that Beijing can interrupt the developing American involvement in this region.<sup>110</sup> The Chinese press claimed that the Thai military coup showed the weaknesses of western democracy, which further fanned anticipations that the Thai coup would stoke broader regional contention.<sup>111</sup> China, at the same time, is trying to expand its soft power to Thailand.<sup>112</sup>

## Conclusion

The rise of China is pushing both western countries and ASEAN countries to come closer to each other with respect to their policy choice. This gives rise to the promotion of mutual understanding between the West and Asia, and the forging of hybrid ideologies. However, western reactions to the 2014 Thai military coup deter this process. This is because western criticism of the coup reminded

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<sup>103</sup> Geoff Wade, Web, 27 May 2014.

<sup>104</sup> *Ibid.*

<sup>105</sup> She is the president of the American University Alumni Association (AUAA).

<sup>106</sup> Patrick Jory, Web, 18 June 2014.

<sup>107</sup> *Ibid.*

<sup>108</sup> Simon Tay, Web, 7 August 2014.

<sup>109</sup> *Ibid.*

<sup>110</sup> Hillary Mann Leverett cited in Scott Stearns, 14 August 2014.

<sup>111</sup> Geoff Wade, Web, 27 May 2014.

<sup>112</sup> Amy Sawitta Lefevre, Web, 11 June 2014.

Thailand (and to some extent Southeast Asian countries as a whole) of their anti-colonial sentiment. It also caused the loss of face for the Thai leaders, which is against the ASEAN's way.

The United States, as one of the western countries, is keen to enlarge the western ideological allies that support human rights and democracy.<sup>113</sup> ASEAN is regarded as one of the swing states for the western countries to secure the support for their value, and Thailand plays a key role in the Association as one of the advocators of democracy. In this regard, the western countries need to maintain good relationships with Thailand and other countries in Southeast Asia. In so doing, western countries need to respect ASEAN's ideology of non-interference, and need to show a more low-key attitude towards the countries in Southeast Asia to save the leader's face.

The process of working together between the two sides is on track. However, the countries concerned should make a continuous effort to forge new hybrid ideologies to maintain regional stability by mutual respect.

## References

- Acharya, Amitav, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (London: Routledge, 2001).
- Aoki, Tamotsu, "'Toyo no Risou' Ron Bekken" in Tamotsu Aoki and Keishi Saeki eds., *"AjiatekiKachi" TohaNanika* (Tokyo: TBS Buritanica, 1998).
- Bellamy, Alex J. and Mark Beeson, "The Responsibility to Protect in Southeast Asia: Can ASEAN Reconcile Humanitarianism and Sovereignty?", *Asian Security*, 6/3, 2010, pp.262-279.
- Brzezinski, Zbigniew, "Balancing the East, Upgrading the West", *Foreign Affairs*, 91/1 (January/February 2012), pp. 97-104.
- Caballero-Anthony, Mely, *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: Institute of Southeast Asian Studies, 2005).
- Gonzalez, Kourtni and Jon Tollestrup, "East-West Centre Bridges the Pacific", Web, 13 August 2014.
- Jory, Patrick, "China is a big winner from Thailand's coup", Web, 18 June 2014.
- Khoman, Thanat, Address: "Prospects of a New Pax Asiana", at the East-West Centre in Hawaii, 9 October 1969, in *Foreign Affairs Bulletin*, 9/2 (October-November 1969), pp. 141-155.
- Kikuchi, Tsutomu, "Indo Taiheiyou no ChikiChitsujyo to ChiikiSeido, SuinguStetsu: Indo, Indonesia, ASEAN [Regional Order, Regional System and Swing States in Indo-Pacific Region: India, Indonesia and ASEAN]" in Yoneji Kuroyanagi ed., *'BeicyoTaiji' Jidai no ASEAN: Kyoudoutaihenoshinka to TaigaiKanyo no Kakudai [ASEAN in the Time When the United States and China Confront Each Other: Deepening the Community and Enlarging the Engagement Policy of External Affairs]*, Tokyo: Akashi Syoten, 2014,

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<sup>113</sup> Zbigniew Brzezinski, p. 97.

- Kliman, Daniel M., "The West and Global Swing States", *The International Spectator*, 47/3, 2012, pp. 53-64.
- Lefevre, Amy Sawitta, "Thai army delegation visits China amid Western reproach of coup", *Reuter Edition*, Web, 1 June 2014.
- National Intelligence Council, *Global Trends 2030: Alternative Worlds*, Office of the Director of National Intelligence, The United State of America, 2012.
- Okamoto, Masaaki, "Minsyukashita Musurimu Taikoku Indonesia: Anteikara Hatten he [Indonesia, a large Muslim country being democratised: Being stable to being developed]", Tokyo: *Kokusai Mondai [International Affairs]*, No. 625 (October 2013), pp. 31-44.
- Piccone, Ted, *Global Swing States and the Human Rights and Democracy Order*, Global Swing States Working Paper, The German Marshall Fund of the United States, November 2012.
- Schweller, Randall L. and Xiaoyu Pu, "After Unipolarity", *International Security*, 36/1 (Summer 2011), pp. 41-72.
- Shimada, Kazuhisa, "Working together for Peace and Prosperity of Southeast Asia, 1945-1968, The Birth of the ASEAN Way" (Okayama: Daigaku Kyouiku Syuppan, 2013).
- Simon, Sheldon, "US-Southeast Asia Relations: Philippines – An Exemplar of the US Rebalance", *Comparative Connections*, 15/2, 2013, pp. \*\*\*
- Stearns, Scott, 'Kerry: Law, Not Coercion, Key to Resolving Sea Disputes', *IIP Digital*, The U.S. Department of State, 14 August 2014.
- Tamura, Keiko, 'Minsyukani Mukau Shingaporu – 2011 Nen Sousei no Kenkou to Kappatsukasuru Shimin Syakai [Singapore shifting to Democratisation – General Election in 2011 and Activated Civil Society]', Tokyo: *Kokusai Mondai [International Affairs]*, No. 625 (October 2013), pp. 45-56.
- Tay, Simon, "Why ASEAN has not condemned Thailand", *The Japan Times*, Web, 7 August 2014.
- Wade, Geoff, "The Thai coup amid broader concerns", *FlagPost* (Australian Parliamentary Library Blog), Web, 27 May 2014.
- Weatherbee, Donald E., *International Relations in Southeast Asia: The Struggle for Autonomy* (Maryland: Rowman & Littlefield Publishers, 2009).
- Yamakage, Susumu, "ASEAN no Henyou to Kouiki Chitsujyo Keisei [Change of ASEAN and the Formation of the Expanded Regional Order]" in Akio Watanabe ed., *Ajia Taiheiyo to Atarashii Chiki Syugi no Tenkai [Asia-Pacific and Development of the New Regional Order]* (Tokyo: Chikura Syobo, 2010).





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FACULTY OF SOCIAL & POLITICAL SCIENCES  
UNIVERSITAS GADJAH MADA

ASEAN Studies Center Universitas Gadjah Mada  
Faculty of Social & Political Sciences Universitas Gadjah Mada  
5th Floor Jln. Socio Justicia No. 1, Bulaksumur, Yogyakarta 55281  
Tel: +62 275 563 362 ext. 151 - Fax: ext. 222  
Email: [aseansc@ugm.ac.id](mailto:aseansc@ugm.ac.id) - Web: <http://asc.fisipol.ugm.ac.id>

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