



Carving Out ASEAN's Revival: Continuity and Change

Working Paper No. 1, December 2020

Carving Out ASEAN's Revival: Continuity and Change

Working Paper No.1, December 2020

Working Papers are research materials published by the ASEAN Studies Center, Universitas Gadjah Mada for the purpose of disseminating information and analysis. Comments and questions should be directed to aseansc@ugm.ac.id

Table of contents

| | |
|--|----|
| Editor's note | 2 |
| Chapter 1 | 3 |
| Enslavement of the Rohingyas: The Quest for ASEAN to Address the Problem and Provide for International Protection – <i>Alifa Salsabila</i> | |
| Chapter 2 | 21 |
| 'Astra Gatra Approach in Analyzing the ASEAN Communities as a Regional Resiliency: Model Against Great Power Competition - <i>Fadhil Haidhar Sulaeman</i> | |
| Chapter 3 | 38 |
| The Challenge of Cooperative Environmental Governance in ASEAN: The Case of Hydropower Development in the Mekong River Basin – <i>Fadilah Rahma</i> | |
| Chapter 4 | 50 |
| Achieving Aspirational Targets: Public-Private Partnership in Spearheading Renewable Energy Development in Southeast Asia – <i>Muhammad Fakhri Abdurrohman</i> | |
| Chapter 5 | 68 |
| "One Southeast Asian Civilization" – Pan-Southeast Asianism for Regional Integration – <i>Truston Jianheng Yu</i> | |

Editor's Note

Since its creation, ASEAN has been the only organization consistently focused on regional integration. Over the past decade, ASEAN has thrived in the massive hit of the financial crisis. During the recession, the region's resiliency has proved that idea of an ASEAN Community that manifested in the blueprints and the effort to initiate regional forums help the organization survive amidst economic issues, political upheaval, and social disruptions that continue to reshape the current affairs.

Despite all these promising results, ASEAN is still at a crossroads. The interstate conflicts over a territorial dispute remain a challenge, human security in the context of the asylum seeker is continuously under pressure to solve, and great powers' sphere of influence seems inevitable. As a result, there is a growing demand that the ASEAN way to address the issues mentioned above needs to evolve. Fostering a robust regional integration while developing an outward-looking partnership is argued, allowing the ASEAN to take full advantage of global power dynamics.

I am pleased to present the *ASEAN Studies Center Working Paper*. This publication provides you with five chapters. The first Chapter deals with the persecution of the Rohingyas, analyzed by the legal approach. The Chapter two presents the analysis of ASEAN's resiliency against great powers, viewed by the 'Asta Gatra' model. The Chapter three contains the study of water dispute in Mekong River Basin. The Chapter four elaborates Public-Private Partnership model in addressing clean and affordable energy solutions. The last chapter contains the analysis of regional integration in the face of polarizing international order. The papers' compilation shows the importance of advancing the initiative's feasibility both in high-politic and low-politic matters.

Finally, special thanks are due to the writers and their research papers. I hope the working paper will be helpful to all of the readers.

Best regards,

Tunggul Wicaksono

Research Manager at ASEAN Studies Center

Universitas Gadjah Mada

CHAPTER 1

Enslavement of the Rohingyas:

The Quest for ASEAN to Address the Problem and Provide for International Protection

Alifa Salsabila

Author Note

Alifa is a research Intern at ASEAN Studies Center, Universitas Gadjah Mada, and an American Studies graduate student at Universitas Gadjah Mada. Alifa has always believed in meliorism and thereby she tries to reach out to as many people as possible by utilizing education as the platform of her fight. She finds the beauty of the world where humans can contribute to build as she integrates law and cultural studies. In both of the studies, she concentrates on public international law and Western-forged civilization. Alifa would be very fond and open of being reached at her e-mail: alifafauziar@mail.ugm.ac.id.

Abstract

ASEAN Charter has become the root of ASEAN Member States to build a home called ASEAN. But in pursuing the 'home' as in the ASEAN Charter dreamed of, unfortunately, live the most persecuted minority group in the world, the Rohingyas. The Rohingyas have long endured suffering from persecution that is targeting them. The persecution underlies the oppression that takes the form of enslavement and forces them to flee from their home country, Myanmar, renders a population of the displaced people of the Rohingyas. As a result, the international community becomes the sanctuary the Rohingyas seek to retain as ASEAN, the regional organization whose responsibilities should have been performed in the region, has failed to uphold their very own commitments to human rights by falling to recall the ASEAN Charter. Other than normatively bound to ASEAN Charter, as part of the international community, ASEAN is also bound to mechanisms work under international legal regime in solving the crime of enslavement and providing the international protection needed by the displaced people of the Rohingyas. By using a conceptual approach to the legal framework and principles in international law as well as statute approach to ASEAN Charter and other supporting law instruments, this paper tries to hold ASEAN responsible in addressing the problem of persecution to the Rohingyas that underlies the oppression that takes form of enslavement as well as alternatives that ASEAN could have long used.

Keywords: ASEAN, Rohingyas, Enslavement, Human Rights, Displaced People

Background

The Rohingyas, for the past few years, have become quite a concern to the international community. They were first labeled as “boat people,” signifying phenomena of hundreds of people struggling to reach the nearest shores outside of their home country, Myanmar, which later were identified as the “Rohingyas.” Geographically, the Southeast Asian neighboring countries such as Thailand, Malaysia, and Indonesia are the nearest maritime runaways for them. But international media have reported that during the early times of fleeing Myanmar by trying to reach Thailand’s shores offered nothing but mistreatment that had them maneuvered their boats to India’s Andaman Islands (Human Rights Watch, 2009). More than a decade later, a similar incident happened when a number of people of the ‘fleeing’ Rohingyas, or legally identified as displaced people, tried to enter Malaysian waters and were denied entry due to the country’s fear over Covid-19 transmission.

Fortunately, about a month after the incident, around a hundred fleeing Rohingyas floating on the sea were locally received by Indonesian people of the Aceh Province who told media that they put humanity first over the Covid-19 transmission possibility with the presence of the Rohingyas. The responsive local people’s action was later followed by a warm welcome from the Indonesian government and a refugee status grant by the United Nations High Commissioner for Refugees (UNHCR) under its mandate (DP & Nasution, 2020) as Indonesia is a non-state party to the 1951 Refugee Convention. The phenomena of ‘rejecting’ and ‘welcoming’ the displaced people of the Rohingyas are not new to the Southeast Asian countries whose regional membership forged the Association of Southeast Asia Nations (ASEAN).

As a result, the international community has to, sometimes, learn that the fleeing Rohingyas are likely to be “ping-ponged” in the region before any member state or other good-willing country from outside of the region steps on the status quo to provide temporal sanctuary—temporary international protection—or a permanent one with open arms. Although the phenomena of the Rohingyas as displaced people—along with the “ping-pong” drama—have been circling around in the region for at the very least a decade, the most resolute effort the region performs has only been an attempt to repatriate the displaced people of the Rohingyas outside of Myanmar back to their home country as a collective response to the problem.

Research Question

From the background information laid out above, this paper proposes a research question of “how is ASEAN normatively supposed to be in addressing the enslavement of the Rohingyas, which leads them seeking for international protection?”

Literature Review

There are many facets to explain the root problem of the persecution of the Rohingyas, but all might agree that it started in the long-dispute over the Rohingyas’ presence in the country. The Rohingyas are a Muslim, ethnic, minority group residing in Rakhine State, Western Myanmar (Mohajan, 2018), bordering Bangladesh. In the status quo, not only the life of the Rohingyas are put at stake resulting from the persecution based on their different race, ethnicity, and religion inherited from their ancestors from the acknowledged indigenous race and religion of the Burmese people, it is also learned that the use of the term of the “Rohingyas” itself—which refers to this particular minority group sharing the same identity—has been disputable since the very beginning of its emergence. The persecution toward them started off with debates that provoked disputes related to sensitive issues (ethnicity, religion, race, and inter-group relations) over Myanmar’s historical records on its relation to the Rohingyas.

The dispute is raging over the ‘legal status’ of the Rohingyas to whether justify and acknowledge them as indigenous people of Myanmar or as a group of foreign settlers came to reside in the country about two hundred years ago (Irish Center for Human Rights, 2010). The disputes produce ‘common knowledge’ for Burmese people in the sense that the Rohingyas are not part of anything related to Myanmar, as a country. Myanmar’s government and citizens refer to the Rohingyas as “Bengalis.” In their ‘common knowledge’, the “Bengalis” are originated from laborers and merchants migrating from India throughout the nineteenth century under British colonial rule, which makes the Rohingyas are then believed to be “illegal immigrants” (Southwick, 2018) have long resided in the country. With this dispute, the Rohingyas are thus known to be the most persecuted and oppressed minority group in the world (Mohajan, 2018). The persecution, based on the disputes over Myanmar’s historical records and its relation to the Rohingyas, underlies the oppression endured by them. The first climax to inherit the oppression of the Rohingyas first occurred in May 1978. The government of Myanmar, along with the military backup, launched a fatal operation called Naga-Min or Dragon-Min Operation in order to dispel as many as possible of illegal immigrants who were

known and found to be illegally residing in Myanmar. This operation included the Rohingyas as their primary targets (Khairi, 2019).

On the other hand, the oppression toward the Rohingyas is also fueled by Buddhist nationalism. Buddhist nationalism firstly emerged in Myanmar as a response to the fight against British colonial rule. In the past, it did contribute to mobilizing Burmese people through identifying and embracing their Burmese culture. Since most people in Myanmar are Buddhist, this Buddhist nationalism grows stronger and fiercer in providing them the sense of bond in confronting the Rohingyas. As a result, Buddhist nationalism in its practices today is no longer a pack of cultural values and historical memories affiliated and associated with Buddhism. Buddhist nationalism has transformed into a baneful matter in which case economics and politics take major parts in and alter the narratives of cultural and historical records of the memory of Buddhist nationalism to an unbalanced local economic development between the Rohingyas and Myanmar's Buddhist citizens in which the Rohingyas were more economically developed than other Myanmar citizens in Rakhine State, and it thus leads to chaotic fear of Islamophobia so that they need to anticipate the possibility of Moslems invade and take over the country (Mohajan, 2018).

Accordingly, the Rohingyas' oppression—either committed by the government authorities or Myanmar's common citizens—is inevitable to take place. From restriction in freedom of mobility to abuses of fundamental rights, the Rohingyas endure violations of human rights, which ASEAN, on the other hand, is committed to respect, protect, promote, and pursue. This is exactly the opposite fact that happens on the ground. Gambia filed a case against Myanmar before the International Court of Justice, accusing Myanmar's government has allegedly ignored the indication of genocide (International Court of Justice, 2019) of the Rohingyas. With a big case like this, perhaps the international community also needs to shine a light on other possibilities that might come along with the oppression, which includes the indication of enslavement as a crime against humanity that is being carried out in the form of forced labor committed widespread and systematically by Myanmar's government to the Rohingyas (Siller, 2016).

Identifying the Oppression by the Identifying Enslavement

Forced labor, according to numerous legal instruments and jurisprudence throughout international law's history, is categorized as a form of enslavement, such as in the 1926 and

1956 Slavery Conventions and judgments of the International Criminal Tribunal for the former Yugoslavia (ICTY). Under the ambit of international criminal law, the Rome Statute is arguably the *most* solidified legal framework to regulate “enslavement” and to categorize it as a crime against humanity. Article 7(2)(c) of the Rome Statute states that enslavement is “the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children”.

As a crime against humanity, it means that enslavement has fulfilled the prerequisites needed in identifying the crime thereof. The prerequisites consist of four physical or contextual elements, also known as *actus rea*, which people can conduct an inquiry into, and one mental element also known as *mens rea* in regard to the perpetrator’s knowledge of the crime, which only the Court can decide. The prerequisites are (Irish Center for Human Rights, 2010):

- i. There must be an attack;
- ii. The acts of the perpetrator must be part of the attack;
- iii. The attack must be directed against any civilian population;
- iv. The attack must be widespread or systematic;
- v. The perpetrator must have knowledge of the wider context of the attack.

Enslavement, historically, has been categorized as a crime against humanity in the Article 6(c) of the Charter of the Nuremberg Tribunal, the Nuremberg Principles (Principle VI), Control Council Law No. 10, Article 5 of the statute of the International Tribunal for the Former Yugoslavia, and Article 3 of the statute of the International Tribunal for Rwanda (Allain, 2012). As a side note, forced labor as enslavement, which is categorized in crimes against humanity, is also articulating the manifestation of slavery.

Slavery, according to Article 1(a) of the 1926 Convention to Suppress the Slave Trade and Slavery, is defined as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”. The manifestation now is commonly understood as trafficking in persons which according to Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons by the United Nations Office on Drugs and Crimes (United Nation Office on Drugs and Crime), it is defined as:

the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of

exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.

It might seem that the three concepts, namely enslavement, slavery, and trafficking in persons, are seemingly similar to one and another, but it needs to be emphasized that each of them is not identically the same. Each concept stresses on different depth, level, and focus, yet they all have something in common, which is to deliver and express a particular unique realm of slavery, *slavery-like practices*, or *contemporary forms of slavery* that are all legally identified as crimes. By this acknowledgment, we could note that the forced labor committed against the Rohingyas, along with the widen and amplified interpretation of the crime, is included in slavery-like practices (Mohajan, 2018) that the international community is opposed to.

In 2006, the International Labour Organization (ILO) Governing Body had assessed the practices of forced labor intensively and propose recommendation the International Criminal Court (ICC) to conduct an investigation concerning “crimes against humanity” regarding to forced labor as enslavement against the Rohingyas, as civilians, in Myanmar (International Labour Organization, 2006). Three years later, in 2009, International Labour Organization took more serious action by conducting internal inquiries and providing relevant documentation available for the Prosecutor of the International Criminal Court to support the case (International Labour Organization, 2009). In the Rakhine State, the practices of forced labor of the Rohingyas are mostly committed by Myanmar’s government security forces known as NaSaKa (Southwick, 2018), a form of such security force formed by the ruling regime. Correspondingly, this domestic *force* situates Myanmar’s authorities, namely government officials and military apparatus as the alleged perpetrators (Lee, 2019)—adding a crucial and blatant note answering questions upon why and how these abuses and violations to the Rohingyas are so long legit carried out.

On the other hand, in 2010, the Irish Centre for Human Rights discovered varied forms of forced labor committed against the Rohingyas. From the investigation, it is learned that the forms of forced labor committed against them were in line with different factors driving the labors itself such as the consideration of nature in different areas, and were affected by the government’s demands and impulses ordered by regional commanders with the aim was only to carry out the forced labors practices. On that account, the labors could be conducted seasonal or perennial including (but not limited to) construction of roads, bridges, model villages, and

military facilities, camp maintenance, portering, guard and security functions, forced cultivation and agricultural laboring, and even arbitrary taxation (Irish Center for Human Rights, 2010). These labors were not also distinguishing roles of *gender* and ages—being a male or a female, a child or an adult, each of the Rohingyas has to endure the misconduct, difficulties, and mistreatment in their workplace (Farzana, 2017) which the government officials claimed to be done voluntarily.

Having a law forbidding forced labor originally began along with the commitment of ending slavery as well as practices similar to it (Bales & Robbins, 2001). And it is essential to determine and assure of what happened to the Rohingyas are in line with the parameters and the definition of the Rome Statute on enslavement as a crime against humanity, which articulates the manifestation of slavery. As a crime against humanity, enslavement requires one particular central, essential, and crucial element to prove in the crime, which is the presence of powers attaching to the right of the ‘ownership.’ In other words, this element sets the ground for the notion that there must be a presence of such entity having the power of ownership in controlling other(s). The “power of ownership” in this context is as explained below (Allain, 2012),

Exercising the “powers attaching to the right of ownership” should be understood as meaning that the enslavement of a person does not mean the possession of a legal right of ownership over the individual (such a claim could find no remedy in modern day law) but the powers attached to such rights but for the fact that ownership is illegal.

And this is what happens to the Rohingyas. It is not to say that even though throughout the way the oppression of the Rohingyas has become incorporated in Myanmar’s domestic laws, then it is legit and legal to be carried out. By contrast, it exactly exercises the presence above of ‘power attachment’ as being discussed. It exercises the government officials’ and military apparatus’ legal rights over *their possession* of each individual of the Rohingyas as *their* civilians under *their* legitimate regime. For this crime thus, the perpetrators must be held responsible. Only by withholding the perpetrators of the crime can ASEAN address the problems right to the roots. Under the Rome Statute jurisdiction, enslavement requires the bear of individual responsibility by having it tried at the International Criminal Court.

The Quest for ASEAN Commitment in Addressing the Problem: Challenges and Alternatives

Having the perpetrators tried at the International Criminal Court might sound challenging as Myanmar, the Rohingya's home country, is not a State Party and thus makes it nearly impossible for the International Criminal Court to exercise its jurisdiction. As a non-State Party to the Rome Statute, the International Criminal Court has no jurisdiction over crimes solely committed solely in Myanmar's territory. But as challenging as it may sound, this drawback is exactly the *perfect* momentum for the international community to work together on progressive cooperation. The situation seemingly opens an *opportunity* for the international community to fight for any possible alternatives to address the problem. And on that account, to address the problem causing crimes endured by the Rohingyas, we need to dig into possible alternative mechanisms available.

The first alternative mechanism comes from the possibility of engaging and cooperating with the neighboring countries around and see if, by any possibilities, they are related to the alleged crime. In this case, Myanmar's neighboring country whose part of the territory provides for the largest refugee camp in the world, Bangladesh (United Nations Children's Fund, n.d.), is open to cooperate. As a State Party to the Rome Statute, Bangladesh is within the International Criminal Court's reach. The International Criminal Court can thus exercise its jurisdiction needed to open an investigation of the alleged crime under the Rome Statute, which in this case, as discussed throughout the paper, is enslavement. By having Bangladesh open for cooperation, the International Criminal Court, at the very least, can challenge Myanmar to have *external power* to take part in addressing the problem. It is learned that having the International Criminal Court steps in the problem can only be done by having a mechanism where its jurisdiction is possible to be exercised. On that account, the jurisdiction can be exercised in the context of the Rohingyas as long as the alleged crime is (International Criminal Court, 2019),

- a) it is within the jurisdiction of the Court,
- b) it is allegedly committed at least in part on the territory of Bangladesh, or on the territory of any other State Party or State accepting the ICC jurisdiction,
- c) it is sufficiently linked to the situation as described in the present decision, and d)
it was allegedly committed on or after the date of entry into force of the Rome Statute for Bangladesh or other relevant State Party.

Accordingly, having International Criminal Court as the first alternative in addressing the problem of the Rohingyas' displaced people could be perceived as having a global effort in ending the crime and serving justice for the Rohingyas as Myanmar fails to provide the domestic protection needed by its people. As the firmest established mechanism to try crimes commonly understood as international crimes, the future decision of the International Criminal Court regarding the case would be a landmark decision the world has been waiting for in attempts to serve justice to a non-State Party where such a mechanism can only work by having an open, progressive international cooperation with the closest neighboring countries where the alleged crimes might partly take place. Having Bangladesh open for the cooperation needed is undoubtedly crucial and central to achieve the first alternative mechanism. But in performing so, it would likely leave a big question upon ASEAN's presence, as the regional organization as well as home to the displaced people of the Rohingyas.

The question of ASEAN presence opens the room for the second alternative mechanism to address the problem. The second alternative mechanism encourages ASEAN to take a close well-thought outlook into the organization itself, reflecting their very own commitment to ASEAN purposes and principles and utilizing their own body and mechanism whose part is actually in the scope of the problem. Recalling the ASEAN Charter, ASEAN is normatively bound to its commitment to uphold freedom and fundamental human rights of ASEAN's peoples. And on that account, an enormous serious challenge—as well as, actually, the alternative—is narrowed down to the ASEAN Intergovernmental Commission on Human Rights (AICHR). To have AICHR involved, we must first understand how AICHR works under the ASEAN structure.

AICHR works alongside other ASEAN main bodies, namely ASEAN Summit, Secretariat-General of ASEAN, ASEAN Coordinating Councils, ASEAN Community Councils, ASEAN Sectoral Ministerial Bodies, Secretary-General of ASEAN and ASEAN Secretariat, Committee of Permanent representatives, ASEAN National Secretariats, and ASEAN Foundation. But the hierarchy among them makes it quite difficult for AICHR just to *take over* the case. AICHR and the rest of other ASEAN bodies work under the *highest* body of ASEAN, the ASEAN Summit. As an intergovernmental organization model built on the “top-down power” (Limsiritong, 2018), AICHR can only work for urgent, significant issues with the ASEAN Summit's grant permission as AICHR works directly under the ASEAN Foreign Ministers Meeting which hierarchy is right under the ASEAN Summit. With the hierarchy thereof,

ASEAN Summit is the main center of power whose decision is the only source of decision-making for all the issues ASEAN considered as crucial issues (Albert & Maizland, 2019).

The Summit level's decision-making model requires the fulfillment of the principle of consultation and consensus under Article 20(1) of the ASEAN Charter. With the principle of consultation and consensus, the decision-making requires all ASEAN member states to agree with the proposed decision, known as positive consensus (Limsiritong, 2018). In light of the positive consensus, the situation seemingly implies to the international community that Myanmar is unlikely to give up their pro-claimed domestic problems despite pressures for human rights matters have been given by the international community (Roth, 2019). ASEAN, without the authorization coming right from Myanmar, cannot *just* get involved in the case. Thereupon, the ASEAN non-interference principle seems to work *best* as in this case. The non-interference principle has Myanmar rule supreme over their sovereign. But actually, it is not a stalemate for ASEAN.

The positive consensus model is not the only resolution ASEAN has in making a decision. Recalling the ASEAN Charter, there is another method to support ASEAN's decision-making provided by Article 20(2) of the ASEAN Charter, which clearly states, "where consensus cannot be achieved, the ASEAN Summit may decide how a specific decision can be made." This should be shedding light on the case as ASEAN has actually been having another mechanism possible to address problems in the region, let alone ones related to human rights. It might be as time-consuming as a goodwill diplomatic approach to Myanmar, as lawful as enforcing the ASEAN Human Rights Declaration 2012, or as *simple* as using the majority vote mechanism to help ASEAN step in the case. However, the goal is to have ASEAN fulfilled its commitment and utilized its own body rather than resting on the global effort and the Rome Statute only to end the crime by having the perpetrators tried at the International Criminal Court, and Myanmar pulled over in addressing the problem. The Rohingyas had suffered long enough to be the elephant in the room for all the ASEAN Summits ASEAN had ever had since the end of 2008 when ASEAN Charter entered into force (Ministry of Foreign Affairs of the Republic of Indonesia, 2009).

For example, the ASEAN Summit can put stress on the legally binding ASEAN Human Rights Declaration as its principles, including the emphasis on human dignity, rights, and fundamental freedom, have been incorporated throughout the region, in all the domestic laws of the Member States of ASEAN. The ASEAN presence in addressing the problem by ending the crime of

enslavement of the Rohingyas is needed. This alternative mechanism can be perceived as the regional effort to put a stronger bond and sense of belonging of the region as ASEAN home rather than bringing it to the global stage. As included in the slavery-like practices, enslavement alone is also acknowledged and opposed by ASEAN. Article 13 of the ASEAN Human Rights Declaration 2012 states that “No person shall be held in servitude or slavery in any of its forms, or be subject to human smuggling or trafficking in persons, including for trafficking in human organs” (Association of Southeast Asian Nations, 2013). This acknowledgment hence becomes the key for ASEAN actually to do something *real* in addressing the problem. As a side note, enslavement—as the problem—would not be solved only by ASEAN efforts on repatriation of the Rohingyas' displaced people.

The displaced people of the Rohingyas fleeing from their home country seek international protection, which their home country fails to provide. If by any possible alternatives, the problem is not being addressed accordingly, then ASEAN's effort to repatriate the displaced people of the Rohingyas back in the country would only be *preserving* the “cycle”. The Rohingyas would one more endure the oppression and likely flee again for the sake of life, which would make the international community, at the global stage, is responsible for providing the international protection the region cannot offer. Therefore, the international protection provided by ASEAN is also as important as ending the crime.s

ASEAN as a Home: The Quest for ASEAN to Provide for International Protection

Displaced people—not the internal ones—under international law are regulated under the ambit of refugee law whose main foundation of law is solely on protecting human rights. Human rights are “legal rights possessed by every person as a human being, where these rights are universal and cannot be eliminated” (Rover, 1998), and this underlies the initiation of refugee law. Refugee law stresses on international protection the home country fails to provide in the very first place. Human rights, in this context, are understood as universal, in the sense that all human beings are the absolute holders of it. The notion of the absolute holders derived from the understanding that human rights are natural rights (Donnelly, 2013). For its natural character, the natural rights are fundamental and inherent in human identity. These fundamental rights provide a privilege that requires the treatment of every human being according to his privileges (Muhtaj, 2008) and hence must be protected at all costs.

Displaced people seeking international protection are understood as asylum seekers. Asylum seekers, along with refugees, are the living individuals whom the international community is

committed to safeguarding for the sustain of “*jus cogens*.” In international law, *jus cogens* are interpreted as a compelling norm and have the highest position or primary source of international relations norms. This concept gives rise to the view (Brownlie, 1998) that “there are norms in international law that cannot be excluded under any circumstances” (p. 515) so that in the event of a conflict. In contrast, *jus cogens* and other norms meet, the norm that has the degree of *jus cogens* must be the first and foremost prioritized one without *questioning* other stances (Saraswati, 2017) such as whether “other norms are more specific than the *jus cogens* ones” (p. 166).

On the very basis, asylum seekers are individuals who seek international protection based on particular reasons and considerations and have not yet been granted any status of asylum. Meanwhile, refugees are people who, by and under international (refugee) law, are granted the status of “refugee” after being forced to flee their home country due to safety and life-threatening persecutions that endanger their lives and well-being based on specific reasons limited only to persecutions based on race, religion, nationality, membership of a particular social group or political opinion which *transform* “them” into becoming the international community’s responsibility and put them monitored under the international legal regime. The status of “refugee” is thus the situation that articulates the failure that the home country performs, which is the inability or unwillingness to provide a good, decent living environment and protection for people who once were *their* national responsibility. In international law, responsibility is divided into “liability” and “answerability.”

An International Law Professor explains that (Janmyr, 2013), as liability, responsibility is understood as an entity that has violated its obligations and becomes liable to be held responsible by receiving “negative response” such as “punishment, censure, or enforced compensation,” and as answerability, responsibility is explained as “not necessarily imply that a wrong has been done since a person may respond to a charge by offering a valid justification for their conduct, thereby deflecting any imputation of wrongdoing” (p. 105). Meanwhile, international protection in the context of refugee law is understood through various interpretations of the term itself. But generally speaking, the UN Security Council Resolution 605 (1987) can be a reference. The “protection” can mean physical protection, legal protection, general assistance, or “protection by publicity” which at the end of the day, it makes international protection can be understood as protection that sets out a common ground of protection to the well-being of the protected (UN Security Council, 1987).

Unfortunately, among the ASEAN Member States, it is already quite a phenomenon for the international community to learn that there are moments when the displaced people of the Rohingyas, seeking international protection, are not being well-embraced. It has been common knowledge that the rejection to ‘accepting’ asylum seekers or refugees, let alone the displaced people of the Rohingyas, is fueled by domestic problems the country of destination has to endure—such as security, economy, and culture—when taking in the refugees and asylum seekers. And theoretically speaking (Haddad, 2008), the rejection, or in other words, ‘the failure to respond to this situation’ is, most of the time, determined by “the political and international nature of the problem”. Consequently, this situation adds another failure to the existing one with the country’s inability and unwillingness to provide protection to the refugees and the asylum seekers in the first place. International protection, hence, becomes the most needed response to *fill in* the absence of national protection, for at the very least, until a new nationality is obtained. And now, another form of “presence” of ASEAN is being questioned.

Recalling ASEAN commitment on human rights promotion and protection as being poured down on ASEAN Charter, having any ASEAN Member States rejecting the coming wave of the displaced people of the Rohingyas, according to human rights researchers, can mean an act of negligence to the ASEAN Community itself (Fardah, 2020). As a matter of fact, which has been discussed earlier, the movements of the displaced people of the Rohingyas in the ASEAN region are not a “new problem.” The absence of regional capability in addressing human rights problems is, directly and indirectly, driving and *keeping* the lack of international protection ASEAN should have provided in the region—or to put it simply, to provide the sense of ‘home’ ASEAN always been campaigning about.

As a part of the international community, the ASEAN Member States—even if the individual is not a State Party to the 1951 Convention and thereby is not, by treaty, normatively bound to the Convention—are still legally bound to the basic principles of international law as in *jus cogens* including (but not limited to) anti-slavery or slavery-like practices, which is closely related to the root of the problem in the Rohingyas case, and of the non-refoulment principle that has become the customary international law (United Nations High Commissioner for Refugees, 2007). The principle rules that all countries including those that do not ratify the refugee convention must uphold refugee protection standards that have become part of general international law (Afriandi & Nizmi, 2014), because “the convention has become *jus cogens* and no refugee can be returned to the area where his life or freedom is threatened” (p. 1094) which is quite the opposite of what ASEAN is doing collectively: repatriation; and the ASEAN

Member States do individually: rejecting the coming waves. Therefore, ASEAN must provide a temporal *sanctuary* to safeguard the Rohingyas' displaced people whenever any ASEAN Member States, individually, is reluctant to have the Rohingyas in the country. The mechanism could come from the maximum utility of the ASEAN Human Rights body to provide a shelter that is agreed to take action when needed.

Conclusion

The quest for ASEAN to address the problem adequately, which is to end the crime of enslavement and not to (only) repatriate, has to be perceived as the purposes in the furtherance of human rights—not as globally understood or universally contested. Still, fundamentally as the very own commitment, values, and principles the ASEAN Member states agreed to pour down and uphold collectively in the ASEAN Charter. To (only) repatriate means that ASEAN is (only) sending the displaced people of the Rohingyas back to the sovereign territory, preserving the cycle of persecution and oppression to go round and round without ever coming to an end. Suppose the root of the cycle itself, which is the problem—which in this paper is the crime of enslavement—is not being addressed and resolved properly. In that case, it will only cause more and more phenomena of the Rohingyas' displaced people fleeing away from their home country, Myanmar, adding responsibility that the international community has to fulfill, which is to provide for international protection needed. In this case, the international protection can mean temporary or permanent protection, depends on other relevant status quo such as the 1951 Convention ratification status and the utilization of the ASEAN Human Rights body, the ASEAN Intergovernmental Commission on Human Rights (AICHR), and what they are granted permission or capable of to do. But the first and foremost objective of the analysis is to hold ASEAN responsible first for achieving the 'home' ASEAN is campaigning about before the international community's global efforts might take over the regional sovereign.

BIBLIOGRAPHY

- Afriandi, F., & Nizmi, Y. E. (2014). Kepentingan Indonesia Belum Meratifikasi Konvensi 1951 dan Protokol 1967 Mengenai Pengungsi Internasional dan Pencari Suaka. *Jurnal Online Mahasiswa Fakultas Ilmu Sosial dan Ilmu Politik Universitas Riau*, 1(1).
- Albert, E., & Maizland, L. (2019, December 20). *What Is ASEAN?* Retrieved from Council on Foreign Relations: <https://www.cfr.org/background/what-asean>
- Allain, J. (2012). The International Legal Regime of Slavery and Human Exploitation and its Obfuscation by the Term of Art: "Slavery-like Practice". In J. Allain, *The Law and Slavery* (pp. 159-193). Leiden: Brill.
- Association of Southeast Asia Nations. (2019, December 20). *Indonesia funds US\$500,000 to support ASEAN efforts in the repatriation of displaced people in Myanmar*. Retrieved from Association of Southeast Asia Nations: <https://asean.org/indonesia-funds-us500000-support-asean-efforts-repatriation-displaced-persons-myanmar/>
- Association of Southeast Asia Nations. (n.d.). *The ASEAN Charter*. Retrieved from Association of Southeast Asia Nations: <https://asean.org/wp-content/uploads/images/archive/publications/ASEAN-Charter.pdf>
- Association of Southeast Asian Nations. (2013, February). *ASEAN Human Rights Declaration and the Phnom Penh Statement on the Adoption of the ASEAN Human Rights Declaration (AHRD)*. Retrieved from Association of Southeast Asian Nations: https://www.asean.org/storage/images/ASEAN_RTK_2014/6_AHRD_Booklet.pdf
- Bales, K., & Robbins, P. T. (2001). No One Shall be Held in Slavery or Servitude, A Critical Analysis of International Slavery Agreements and Concepts of Slavery. *Journal of International Affairs*, 18-37.
- Brownlie, I. (1998). *Principles of Public International Law* (Fifth ed.). New York: Clarendon Press.
- Donnelly, J. (2013). *Universal Human Rights in Theory and Practice*. New York: Cornell University Press.
- DP, Y., & Nasution, R. (2020, July 23). *UNHCR grants refugee status to 99 Rohingya migrants in Aceh*. Retrieved from Antara Aceh: <https://aceh.antaranews.com/berita/154042/unhcr-grants-refugee-status-to-99-rohingya-migrants-in-aceh>
- Fardah. (2020, May 16). *Rejecting to help Rohingya akin to rejecting ASEAN community*. Retrieved from Antara Sulteng: <https://sulteng.antaranews.com/berita/122160/rejecting-to-help-rohingya-akin-to-rejecting-asean-community>
- Farzana, K. F. (2017). *Memories of Burmese Rohingya Refugees, Contested Identity and Belonging*. London: Palgrave Macmillan.
- Haddad, E. (2008). *The Refugee in International Society, Between Sovereigns*. New York: Cambridge University Press.
- Human Rights Watch. (2009, May 26). *Perilous Plight, Burma's Rohingya Take to the Seas*. Retrieved from Human Rights Watch: www.hrw.org/report/2009/05/26/perilous-plight/burmas-rohingya-take-seas
- International Court of Justice. (2019, November 11). *Press Release The Republic of The Gambia institutes proceedings against the Republic of the Union of Myanmar and asks the Court to*

- indicate provisional measures. Retrieved from International Court of Justice: <https://www.icj-cij.org/files/case-related/178/178-20191111-PRE-01-00-EN.pdf>
- International Criminal Court. (2019, November 14). *ICC judges authorise opening of an investigation into the situation in Bangladesh/Myanmar*. Retrieved from International Criminal Court: <https://www.icc-cpi.int/Pages/item.aspx?name=pr1495>
- International Labour Organization. (2006, November). *Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)*. Retrieved from International Labour Office Governing Body: <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/gb-8-2.pdf>
- International Labour Organization. (2009). *Provisional Record 98th Session Part Three (Rev.) Observation and Information Concerning Particular Countries*. Geneva: International Labour Conference. Retrieved from International Labour Organization.
- Irish Center for Human Rights. (2010). *Crimes against Humanity in Western Burma: The Situation of the Rohingyas*. Galway: National University of Ireland.
- Janmyr, M. (2013). *Protecting Civilians in Refugee Camps Unable and Unwilling States, UNHCR and International Responsibility*. Leiden: Martinus Nijhoff Publisher.
- Khairi, A. (2019). Supply Chain and Human Trafficking of Rohingya Refugees in Malaysia. *International Journal of Innovative Technology and Exploring Engineering (IJITEE)*, 9, 4561-4565.
- Lee, R. (2019). Myanmar's Citizenship Law as State Crime: A Case for the International Criminal Court. *State Crime Journal*, 8(2), 241-279.
- Limsiritong, N. (2018). The Power Limitation of ASEAN Inter-Governmental Human Rights Commission Under the Perspective of ASEAN Charter in Case of the Rohingya Issue. *International Journal of Crime, Law and Social Issues*, 5(2), 32-38.
- Ministry of Foreign Affairs of the Republic of Indonesia. (2009, September 5). *ASEAN Charter*. Retrieved from Ministry of Foreign Affairs of the Republic of Indonesia: https://kemlu.go.id/portal/en/read/117/halaman_list_lainnya/asean-charter#:~:text=The%20ASEAN%20Charter%20was%20signed,by%2010%20ASEAN%20member%20countries
- Mohajan, H. K. (2018). History of Rakhine State and the Origin of the Rohingya Muslims. *IKAT: The Indonesian Journal of Southeast Asian Studies*, 2(1), 19-46.
- Muhtaj, M. E. (2008). *Dimensi-Dimensi HAM, Mengurai Hak Ekonomi, Sosial, dan Budaya*. Jakarta: PT Rajawali Press.
- Roth, K. (2019). *Myanmar Events of 2018*. Retrieved from Human Rights Watch: <https://www.hrw.org/world-report/2019/country-chapters/myanmar-burma>
- Rover, C. D. (1998). *To Serve and to Protect: Human Rights and Humanitarian Law for Police and Security Forces Paperback*. Geneva: International Committee of the Red Cross.
- Saraswati, A. N. (2017, August). Kriteria untuk Menentukan Hak Asasi Manusia sebagai “Jus Cogens” dalam Hukum Internasional. *Arena Hukum*, 10(2), 163-184.
- Siller, N. (2016). Does International Law Distinguish between Slavery, Enslavement and Trafficking? *Journal of International Criminal Justice*, 14, 405-427.

- Southwick, K. (2018). Straining to Prevent the Rohingya Genocide: A Sociology of Law Perspective. *Genocide Studies and Prevention: An International Journal*, 12, 119-142.
- UN Security Council. (1987, December 22). *Resolution 605 (1987)*. Retrieved from United Nations Digital Library: <https://digitallibrary.un.org/record/151623>
- United Nation Office on Drugs and Crime. (n.d.). *United Nations Convention against Transnational Organized Crime and the Protocols Thereto*. Retrieved from United Nation Office on Drugs and Crime: https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf
- United Nations Children's Fund. (n.d.). *A Kiwi view of the world's largest refugee camp*. Retrieved from United Nations Children's Fund: <https://www.unicef.org.nz/stories/a-kiwi-view-of-the-worlds-largest-refugee-camp>
- United Nations High Commissioner for Refugees. (2007, January 26). *Advisory Opinion on the Extraterritorial Application of Non-Refoulment Obligations under the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol*. Retrieved from UNHCR, The UN Refugee Agency: <https://www.unhcr.org/4d9486929.pdf>

CHAPTER 2

‘Asta Gatra’ Approach in Analyzing the ASEAN Communities as a Regional Resiliency Model Against Great Power Competition

Fadhil Haidar Sulaeman

Author Note

Fadhil Haidar Sulaeman is an International Undergraduate Program student at Universitas Gadjah Mada, majoring in International Relations with a concentration on Global Politics and Security (GPS). Currently, he serves as a Research Division Intern at ASEAN Studies Center UGM. He could be contacted through e-mail: fadhilf50@gmail.com.

Abstract

As the great powers strengthen their resolution to expand their influence, middle powers strive to protect their sovereignty and national interest. In Southeast Asia, the influence from both the United States and the People's Republic of China has put significant pressure on the Association of Southeast Asian Nations (ASEAN) cohesion, as each superpower tries to detract ASEAN member states to each of their sphere of influence. As a result, ASEAN's resiliency is being contested, which would prove disastrous if it becomes looser. Hailed as the Balkan of Asia, the Southeast Asian region could be engulfed with chaos due to proxy conflicts between superpowers. To that end, this paper would utilize the "Asta Gatra" approach from the Indonesian National Resilience Institute to measure the resiliency of ASEAN towards the contemporary great power competitions. Through this paper, it was argued that ASEAN has a safe resiliency in its Social-Cultural Community. However, it should revamp its policy on the Economic Community and Political-Security Community, as these aspects of ASEAN is still prone to heavy foreign interference.

Keywords: Indo-Pacific, ASEAN, Security, Resiliency, Great Powers

Background

Great power competition has always been a common social phenomenon in the history of international politics. In the *History of the Peloponnesian War*, General Thucydides recounts the moment that Athens and Sparta, two rivaling hegemonies in the ancient Hellenic city-states era, intervene in the conflict between Corinth and Corcyra for their benefits.¹ Ever since then, major powers are frequently intervening in matters of lesser power, whether it was aimed to increase one's power or prevent a rise of one. Unfortunately, these practices persist in the contemporary era, where the rule of law and multilateral cooperation is said to be the lynchpin of the global order.² Notwithstanding the international community's progress and efforts in creating peace, the competitions between great powers still plague the development of humankind.

The increasing interdependency between state actors and the fourth industrial revolution is creating a new dimension. If the previous confrontation were mostly a conflict in politics and military, the new competition entails the race of technology and economic superiority between one another. Foreign Direct Investment (FDI) and Artificial Intelligence (AI) replaces guns and bullets in a power play for global primacy, as nuclear weapons' invention prevents the repentance of the world wars.³ Nevertheless, major powers still can wage unconventional conflict against their adversaries.

Two particular methods have seen rising usage in the past few years. The old-style proxy conflict has been frequently seen in the Middle Eastern theatre, where great and regional powers have turned to puppet actors to act on their behalf.⁴ The new-style conflict, hybrid warfare, was allegedly used in the Eastern Europe theatre, where the direct and indirect intervention from state actors were used interchangeably to achieve national interest.⁵ As a

¹ Lee, J., 2019. Did Thucydides Believe in Thucydides' Trap? The History of the Peloponnesian War and Its Relevance to U.S.-China Relations. *Journal of Chinese Political Science*, 24(1), pp.67-86.

² Mearsheimer, J., 2019. Bound to Fail: The Rise and Fall of the Liberal International Order. *International Security*, 43(4), pp.7-50.

³ Wu, X., 2020. Technology, power, and uncontrolled great power strategic competition between China and the United States. *China International Strategy Review*,.

⁴ Berti, B. and Guzansky, Y., 2014. Saudi Arabia's Foreign Policy on Iran and the Proxy War in Syria: Toward a New Chapter?. *Israel Journal of Foreign Affairs*, 8(3), pp.25-34.

⁵ Schmid, J., 2019. Hybrid warfare on the Ukrainian battlefield: developing theory based on empirical evidence. *Journal on Baltic Security*, 5(1), pp.5-15.

result of these foreign interventions, much of the world's region was torn apart by civil wars, coup d'état, or even military invasion.

As a regional organization, ASEAN was also subjected to the brutal competition of international politics. When it was founded in 1967, ASEAN was the main effort to seek regional autonomy from both the United States and the Soviet Union.⁶ From a small regional organization with five member states, it began to accept more members as the cold war was nearing its end. When the great power competition seems to be replaced by American unipolarity, ASEAN reinforced itself to be a more cohesive regional organization, as shown by the signing of the ASEAN Charter in 2007.⁷ The ASEAN Charter established the ASEAN Community with its three pillars, which are the Political-Security Community, Economic Community, and the Social-Cultural Community. These pillars were formed to integrate the various policies that these countries have developed in Southeast Asia and united them in a centralized bureaucracy.⁸ The initial intention of these communities is to create peace and prosperity in the region by settling differences by using the ASEAN, as the risks of external threats lower with the United States become the sole superpower.⁹

However, things have changed drastically in the past few years. The controversial annexation of Crimea has shown a Russian resurgence in global politics, and the declaration of the Belt and Road Initiative and the South China Sea tension puts China on a power level with that of America.¹⁰ As for ASEAN, each state has mainly adopted a shared foreign policy to adapt to this situation. All ASEAN member states call for fellow members to stick to ASEAN Centrality in a world order filled with vulnerability, uncertainty, complexity, and ambiguity.¹¹ In other words, each member states are depicting themselves as a sailorman, rowing their boat in between two giant reefs.

⁶ Chang, C., 1979. ASEAN's Proposed Neutrality: China's Response. *Contemporary Southeast Asia*, 1(3), pp.249-267.

⁷ Feraru, A., 2016. ASEAN Decision-Making Process: Before and after the ASEAN Charter. *Asian Development Policy Review*, 4(1), pp.26-41.

⁸ Wicaksono, A., 2007. Think ASEAN! : Rethinking Marketing toward ASEAN Community 2015. *Asean Economic Bulletin*, 24(2), pp.278-280.

⁹ Bae, K., 2018. Seeing ASEAN as a platform for spreading liberalism. *International Journal: Canada's Journal of Global Policy Analysis*, 73(1), pp.33-48.

¹⁰ Yongnian, Z. and Chi, Z., 2018. The Belt and Road Initiative and China's Grand Diplomacy. *China and the World*, 01(03), p.1850015.

¹¹ Kamasa, F., 2017. ASEAN Centrality in Asian Regional Architecture. *Global South Review*, 1(1), p.63.

As a result, the ASEAN Communities have imperative importance in formulating a regional policy that suits each member state's best interest. This paper would analyze the effectiveness of each ASEAN Communities in dealing with the comeback of great power competition.

Research Question

“How do the three ASEAN Communities successfully deal with the great power competition?”

Theoretical Framework: Asta Gatra Resiliency Model

Asta Gatra is a national resiliency model developed by the Indonesian National Resilience Institute and was developed to simplify the national components that have a significant impact on statecraft.¹² The concept of a national resiliency model has been developed by multiple international relations scholars, such as Morgenthau, Mahan, and Cline.¹³ The usage of the Asta Gatra model on this working paper is deemed necessary to limit the influence of orientalism and minimize western bias. As a model developed by Southeast Asia, it is hoped that this model would capture the real effects of ASEAN Communities towards regional resiliency. As this model's primary purpose is to simplify overall state resiliency, therefore ASEAN would be modeled as a confederacy with each state having full autonomy to pursue national interest. This explanation would be the main limitation of this paper. Furthermore, this model was also meant to generalize the overall resiliency of each aspect, and thus a specified resiliency should be discussed in another paper.

The Asta Gatra model was further divided into two parts, the Tri Gatra and the Panca Gatra. Tri Gatra consists of the natural aspects that embody the static components of a state, which are geography, natural resources, and demography. For instance, one could assess that Tri Gatra mirrors the concept of geopolitics, where Panca Gatra, on the other hand, consists of the social aspects that embody the dynamic aspects of a state, which includes ideology, politics, economy, social-cultural, and defense-security.¹⁴ As this working paper is assessing the social aspects of ASEAN, which is the three Communities, the Panca Gatra forms the principal framework of this analysis, with the Tri Gatra having the position of a supportive framework.

¹² Mardiyono, H., 1983. *Geopolitik, Teori Dan Strategi Politik Dalam Hubungannya Dengan Manusia, Ruang Dan Sumber Daya Alam*. Surabaya: Usaha Nasional, pp.70-82.

¹³ Harsawaskita, A., 2007. Great Power Politics: Suatu Pandangan Geopolitik. *Transformasi dalam Studi Hubungan Internasional*., pp.56-70.

¹⁴ Yuliawati, S., 2013. Pengukuran Gatra Sosial Budaya di Provinsi Nusa Tenggara Timur. *Jurnal Penelitian dan Evaluasi Pendidikan*, 15(1), pp.139-154.

Tri Gatra: Southeast Asian Geography, Natural Resources, and Demography

The geographical terms “Southeast Asia” have been on constant revision throughout history. The terms themselves were still new and barely have international recognition during the Second World War when the British Empire created the South East Asia Command (SEAC) in 1943.¹⁵ This definition of Southeast Asia is directly bordering with South Asia and the Indian Ocean to the West, the Oceanian to the South and West, and last the Pacific Ocean and East Asia to the North. Currently, Southeast Asia was composed of two different geographical conditions: Mainland Southeast Asia and Maritime Southeast Asia. Mainland Southeast Asia was a continuation of the Eurasian landmass continent, with most of its characteristics was formed by numerous mountainous ranges and lowlands with access to one national and two international south-bound rivers: Irrawaddy, Mekong, and Chao Phraya.¹⁶

On the other hand, Maritime Southeast Asia was composed of archipelagic countries, warm waters, with having much more volcanic activities intensification in comparison with their mainland counterpart. Maritime Southeast Asia was also called the Maritime Continent due to its large impact on global air circulation, as its position between the warm waters of Indian and Pacific Oceans created a condition called the Tropical Warm Pool.¹⁷ As a result, Southeast Asia sits in a geopolitically strategic position. Still, its geographical condition prevents it from easily commensurate that strategic position into a real advantage as the disparity between land and water mass creates a problem in logistics and communication in which great powers could conduct exploitation for their national interest.¹⁸

Since the region has an abundance of the warm sea, volcanic activities, and downstream rivers, then natural resources also follow suit due to the fertile soil and rich-mineral seas.¹⁹ The main natural resources cesspool was agriculture and fisheries, with earth minerals having the main spotlight in a few particular areas in the region. Major agricultural commodities such as timber

¹⁵ Park, S. and King, V., 2013. *The Historical Construction Of Southeast Asian Studies: Korea And Beyond*. Singapore: ISEAS Publishing.

¹⁶ De Koninck, R., 2006. On the Geopolitics of Land Colonization: Order and Disorder on the Frontiers of Vietnam and Indonesia. *Moussons*, (9-10), pp.33-59.

¹⁷ Yin, Z., Dong, Q., Kong, F., Cao, D. and Long, S., 2020. Seasonal and Interannual Variability of the Indo-Pacific Warm Pool and its Associated Climate Factors Based on Remote Sensing. *Remote Sensing*, 12(7), p.1062.

¹⁸ Murphy, A., 2017. Great Power Rivalries, Domestic Politics and Southeast Asian Foreign Policy: Exploring the Linkages. *Asian Security*, 13(3), pp.165-182.

¹⁹ Pombhejara, V., 1981. Natural Resources and Raw Materials in Southeast Asia. *Asia and the New International Economic Order*, pp.164-173.

and palm oil are having major production in Indonesia and Malaysia, while the likes of cash crops such as cassava and sugarcane have an increased production trend in the Indochinese region.²⁰ As the region that borders directly in the South China Sea, ASEAN member states have the opportunity to reap benefits from its abundance of maritime resources. Earth minerals such as iron ore, tin, coal, bauxite, and oil are the main non-renewable export commodities in the region.²¹ As a result, these regions are rich in agricultural and earth minerals, potentially a supplier of raw materials or a part of the global value chain.²²

After South and East Asia, Southeast Asia becomes the world's third-largest densely populated geographical region in the world. By filling 8.8% of the world's population, Southeast Asia's demographic situation makes it a major factor for great powers economic policymakers.²³ However, these regions have a very diverse ethnicity, with the majority being Javanese, Vietnamese, Thais, and Burmese; one main factor that should be accounted for is that around 30 million overseas Chinese lived in Southeast Asia.²⁴ Furthermore, religions in Southeast Asia are mainly composed of Islam, Buddhism, and Christianity. Thus, even if Southeast Asia has a large population, it is not a cohesive community as they have various ethnicities and religious backgrounds.

ASEAN Political-Security Community:

Regional Ideology, Political, and Defense-Security Resiliency

ASEAN, as a regional organization, does not have a rigid ideology. However, several agreements of the APSC pointed out that the “ASEAN Way” seems to be the primary way of statecraft.²⁵ Since Indonesia also utilized the “four ideas of national foundation consensus” as the main object of ideological resiliency, it would not be wrong to portray the ASEAN Way as a regional ideology. The ASEAN Way comprises of four main points that each ASEAN

²⁰ Konick, R. and Rousseau, J., 2013. Southeast Asian Agricultures: Why such Rapid Growth?. *L'Espace géographique*, 42(2), pp.143-146.

²¹ Humphreys, D., 2017. In search of a new China: mineral demand in South and Southeast Asia. *Mineral Economics*, 31(1-2), pp.103-112.

²² Coe, N. and Yeung, H., 2019. Global production networks: mapping recent conceptual developments. *Journal of Economic Geography*, 19(4), pp.775-801.

²³ Jones, G., 2002. Southeast Asian urbanization and the growth of mega-urban regions. *Journal of Population Research*, 19(2), pp.119-136.

²⁴ Yanjia, Q., 2015. He Ming, Southeast Asia ethnography series (4 books). *Asian Ethnicity*, 16(3), pp.408-409.

²⁵ Tekunan, S., 2014. The Asean Way: The Way To Regional Peace?. *Jurnal Hubungan Internasional*, 3(2), pp.142-147.

member states adopt in their foreign policy. These were the principles of non-interference, quiet diplomacy, use of force restraint, and the decision by consensus.²⁶ By these principles, ASEAN sought to minimize the influence of Wilsonian-style foreign policy that emphasizes substantial intervention in other nation's affairs to promote specific ideas.²⁷ Instead, it brought back the Metternich-style "Congress of Vienna" foreign policy that emphasizes peaceful coexistence and balance of power among regional states.²⁸

Therefore, in theory, the ASEAN Way was supposed to keep the regional order stable, which hinders foreign great powers' efforts to incite regional instability. Even if a state were plagued with massive instability within its border, the ASEAN Way would compartmentalize the chaos and keep the regional order stable.²⁹ For instance, the Rakhine Conflict, and the subsequent Rohingya Genocide, sparks a massive international outcry that urges interventions. Without the ASEAN Way, neighboring countries could be pushed to conduct a humanitarian intervention as stipulated by the R2P Protocol of the United Nations, which would result in an armed conflict between states.³⁰ Instead, the ASEAN Way preserved the unity of Southeast Asia by averting a war that could destabilize the region, and instead, seeks a diplomatic approach to solve the issue. Thus, the ASEAN Way could be seen as an excellent choice to create a regional, ideological resiliency.

In terms of political policy, ASEAN seeks to maintain both autonomy and impartiality in the international community. As stipulated in the ASEAN Outlook on Indo-Pacific (AOIP), ASEAN member states adopt the policy of inclusivity, complementarity, and centrality regarding the growing significance of the Indo-Pacific region. In other words, ASEAN does not bandwagon itself with other actors that seek personal interest in the region, but at the same

²⁶ Nishikawa, Y., 2007. The "ASEAN Way" and Asian Regional Security. *Politics & Policy*, 35(1), pp.42-56.

²⁷ Severino, R., 2003. Sovereignty, Intervention and The ASEAN Way. In: *ASEAN Scholars' Roundtable*. Singapore: ASEAN Secretariat.

²⁸ Fujiwara, K., 2000. Autocratic Peace: ASEAN in Comparative Perspective. *Democratization and International Politics/Economics*, 2000(125), pp.147-161.

²⁹ Jones, D. and Smith, M., 2007. Making Process, Not Progress: ASEAN and the Evolving East Asian Regional Order. *International Security*, 32(1), pp.148-184.

³⁰ Xianghui, Z., 2019. New Modes of Non-Military Intervention Under the Responsibility to Protect: The Case of the Rohingya Crisis in Myanmar's Rakhine State. *Stimson South Asian Studies*, (1).

time, welcomes cooperation with others as long as the relationship is equal and mutual.³¹ This policy meant that ASEAN would not declare unconditional support for all foreign power that has an interest in the region, and seeks to reap benefits as much as possible by working with all actors.³² For instance, no member states of ASEAN are involved in the US-led Quadrilateral Security Dialogue, which many experts believed to have a common goal of containing the rise of China.³³ No member states were also members of Chinese-based political organizations, such as the Shanghai Cooperation Organization (albeit Cambodia's position as a dialogue partner). Simultaneously, the ASEAN-led East Asia Summit, which discusses issues in the Asia-Pacific region, currently has the United States, the Russian Federation, and China as its participating members. By having a clear-cut policy in regards to its standing in international politics, the one that seeks freedom from foreign powers, ASEAN could maintain its regional political resiliency.

However, the relative ease of ASEAN resiliency in ideological and political aspects is hard to be said in its defense-security counterparts. Even as ASEAN had established the 1971 Zone of Peace, Freedom, and Neutrality Declaration, most of its members had defense-security ties with foreign powers. The Five Powers Defense Arrangements (FPDA), which consists of the United Kingdom and its Commonwealth partners, such as Malaysia, Singapore, Australia, and New Zealand, was a continuation of the Anglo-Malaysian Defence Agreement (AMDA).

The AMDA was created in 1957 to contain the growing power of Indonesia.³⁴ Similarly, the now-defunct Manila Pact is continued by separate defense ties between the United States, the Philippines, and Thailand.³⁵ These defense-security ties between ASEAN member states and foreign power create insecurity within the states that do not possess one. As a country that adopts the "free and active foreign policy," Indonesia was surrounded from all sides by a

³¹ Elisabeth Siahaan, S. and Risman, H., 2020. STRENGTHENING ASEAN CENTRALITY WITHIN THE INDO-PACIFIC REGION. *PEOPLE: International Journal of Social Sciences*, 6(1), pp.254-266.

³² Shekhar, V., 2012. ASEAN's Response to the Rise of China: Deploying a Hedging Strategy. *China Report*, 48(3), pp.253-268.

³³ Clarke, B., 2019. Pakistan and the Quadrilateral Security Dialogue: Current and Future Perceptions. *IPRI Journal*, 19(1), pp.30-55.

³⁴ Chua, D., 2016. America's Role in the Five Power Defence Arrangements: Anglo-American Power Transition in South-East Asia, 1967–1971. *The International History Review*, 39(4), pp.615-637.

³⁵ Quayle, L., 2019. Southeast Asian perspectives on regional alliance dynamics: the Philippines and Thailand. *International Politics*, 57(2), pp.225-241.

defense agreement that used to have the objective to contain its power.³⁶ Aside from the inter-state suspicion, the ASEAN Defense Ministers Meeting Plus (ADMM Plus) and the ASEAN Foreign Ministers Meeting (AFMM) have not yet to show substantial progress in dealing with defense-security issues in the region, such as the Rohingya Genocide and the South China Sea dispute. Due to its inability to manage the situation internally, foreign actors have been taking the Rohingya Genocide issue to their matters.³⁷

Currently, the International Court of Justice (ICJ) and the International Criminal Court (ICC) are having legal proceedings regarding the calamity that happens in Myanmar. In contrast, China's role has been increased as a mediator in the conflict. Despite the Code of Conduct negotiation, China has been more aggressive by developing artificial islands and increasing military presence in the South China Sea, while the United States and its allies were also intensifying their Freedom of Navigation Operation (FONOP) in the area. Not to mention the alleged Chinese intervention in the Myanmar Civil War, in which ASEAN rarely gave the conflict a spotlight in the media. If the situation worsens, then the probability of a security dilemma in the region could arise, and war could break out. More vigorous efforts by the ASEAN Political-Security Community are needed to fix the security-defense resiliency in Southeast Asia.

The ASEAN Economic Community: Regional Economic Resiliency

Ever since the downfall of the Soviet Union, Southeast Asian states fully embrace the neoliberal economic model. In return, the ASEAN Economic Community (AEC) was proclaimed to enhance regional economic integration, which suits the global economic outlook. The AEC's main aim is to reduce trade barriers, the easing of financial mobility, and increasing the economies of scale between ASEAN member states. These policies align with the orthodox economic theory championed by the standing global economic order, with US-led organizations such as the International Monetary Fund, World Bank, and the World Trade Organization supporting it.³⁸ However, what was envisaged in the documents was different

³⁶ Feith, H. and Weinstein, F., 1978. Indonesian Foreign Policy and the Dilemma of Dependence: From Sukarno to Soeharto. *Pacific Affairs*, 51(1), p.149.

³⁷ Han, E., 2020. Myanmar's Internal Ethnic Conflicts and Their Implications for China's Regional Grand Strategy. *Asian Survey*, 60(3), pp.466-489.

³⁸ Juego, B., 2015. *The Political Economy Of The ASEAN Regionalisation Process* / Heinrich Böll Stiftung. [online] Heinrich-Böll-Stiftung. Available at: <<https://www.boell.de/en/2015/10/28/political-economy-asean-regionalisation-process>> [Accessed 22 August 2020].

from what happens, which leads to the conceptual and pragmatist approach to analyze the AEC. The conceptualism approach tries to explain the development of the ASEAN Economic Community through the ASEAN official documents and how it goes throughout these years. The pragmatic approach, on the other hand, tries to delve into alternatives to the real motives of ASEAN member states in trying to build the ASEAN Economic Community.

From a conceptualism approach, the ASEAN Economic Community was created based upon the need to make Southeast Asia a lucrative place for investment and trade from its member states, making it similar to the European Union policies.³⁹ By combining the Southeast Asian economic states, the ASEAN-style single market and the ASEAN “free flows” of goods, services, labors, and capitals was a policy that could make the regional economic bloc a choice of investment for local business compared to another economic powerhouse such as China, the European Union, and India.⁴⁰ However, from a pragmatism approach, the ASEAN Economic Community was meant to make Southeast Asia economic relations with other parts of the world; in particular the East Asian countries such as China, Japan, Taiwan, and South Korea; more integrated and cooperated as it becomes an option for these developed economies to invest there.⁴¹ In other words, instead of an integrated and protected economy between ASEAN member states to induce the cooperation between its member states; like the model of the European Union; the AEC was introduced to make foreign states and companies to invest in the region as it would portray the region as a developed and become a sign of good prospect of trade and investment.

As a result, the ASEAN Economic Community is a regional economic bloc that was mainly dependent on external markets, unlike the European Union, which successfully implemented a European-centric common market. The pragmatic approach to the ASEAN Economic Community provides better empirical insights into how the so-called “ASEAN Way” works, which makes cooperation less binding and committed due to the non-interference principle

³⁹ Hew, D. and Soesastro, H., 2003. Realizing the ASEAN Economic Community by 2020: ISEAS and ASEAN-ISIS Approaches. *Asean Economic Bulletin*, 20(3), pp.292-296.

⁴⁰ Pelkmans, J., 2019. Understanding the ASEAN economic community: pragmatism versus conceptualism. *Asia Pacific Business Review*, 25(5), pp.619-636.

⁴¹ Ibid.

between member states.⁴² As a result, ASEAN's economic resiliency is vulnerable to great power intervention. One particular power that has seen an exponential growth of economic influence in the region is China. From a trade perspective, all ASEAN member states but Singapore had a trade deficit with China, and all but Indonesia had more than 8% of imports from China as a percentage of GDP.⁴³ In terms of investment, China is the second-largest foreign investor in ASEAN after Japan, and all ASEAN member states are a member of the Belt and Road Initiative. China has two major BRI projects in Southeast Asia, which is the China-Indochina Peninsula Economic Corridor and the China-Myanmar Economic Corridor. These projects involved seven member states of ASEAN, showing the development of Chinese economic might in Southeast Asia. With China having more and more economic influence in Southeast Asia, ASEAN's regional economic resiliency is going to be more precarious.

ASEAN Social-Cultural Community: Regional Social-Cultural Resiliency

The concept of social-cultural resiliency based on the Asta Gatra model is how to interact with globalization and modernization while preserving the traditional social and cultural forms as a unique identity.⁴⁴ With this definition, social-cultural resiliency was meant to be dynamic, as long as it does not interfere with other resiliency aspects. However, if conflicts were to occurred in the social-cultural aspects, it would threaten other resiliency aspects. Southeast Asia, as a whole, had an eclectic social and cultural background. Each state had its own distinct national identity, and therefore the historical social-cultural ties between states are mostly confined to neighbors. For instance, Eurasian Southeast Asia was dominated by Buddhism and Hinduism, while Islamism and Christianity dominated archipelagic Southeast Asia. A social-cultural unity between member states would be very loose with a diverse background, and national unity would be a more compelling narrative to be developed by each member state.

The lack of regional unity from a bottom-up approach requires the higher-ups to change their strategy, which results in a top-down approach being used. As a means to mitigate the lack of a united social-cultural background, the ASEAN member states resort to a newly-imagined

⁴² Gnanasagaran, A., 2017. *Economic Integration, The ASEAN Way*. [online] The ASEAN Post. Available at: <<https://www.google.com/amp/s/theaseanpost.com/article/economic-integration-asean-way%3famp>> [Accessed 22 August 2020].

⁴³ Steil, B. and Rocca, B., 2019. *Trace China's Growing Economic Influence*. [online] Council on Foreign Relations. Available at: <<https://www.cfr.org/article/belt-and-road-tracker>> [Accessed 22 August 2020].

⁴⁴ Mardiyono, 1983.

“ASEAN Identity.” The ASEAN Identity was legalized in Article 35 of the 2008 ASEAN Charter and later expanded into the ASEAN’S official motto of “One Vision, One Identity, One Community.” The ASEAN Identity was formed based on the narratives of geographical location and historical anti-imperialist ideas, in which all current member states of ASEAN have had a bad experience.⁴⁵ All ASEAN member states, but Thailand, used to be a European colony. Thus, the ASEAN Identity is based upon the imagined pre-colonial version of Southeast Asia. Each state in the region does not easily fall preyed upon foreign powers like ancient China and India. These ‘ancient rebellious state’ of Southeast Asia that strives independence and autonomy from foreign powers is imagined to be ASEAN’s manifestation.

However, ASEAN Identity still presents shortcomings. A strong and cohesive regional identity was not sustainable without greater participation from the popular mass. Government-driven programs would be futile if their citizens do not embrace the ideas that were proposed.⁴⁶ Even as the ASEAN Accredited Civil Society Organizations had 52 CSO per 2016, it is still not enough to enervate grassroots in the region. Despite member states’ attempts to create regional social-cultural unity, the ASEAN Identity is still a new ‘imagined community.’ Barely legalized in 2008, the idea is still new and susceptible to changes. Indeed, the social-cultural resiliency is more dynamic compared to the other Panca Gatra. However, too much ‘soft power’ from great powers should not be tolerated either, as it presents two threats to the regional resiliency. The first one is stealing the sympathy, or ‘hearts and minds,’ of the population through social-cultural efforts.⁴⁷ Whether it influenced the elite or the ordinary people, soft powers could impact the decision-making process and alter the interpretation of national and regional interest due to social-cultural affinity, thus creating sympathizers.⁴⁸

For instance, the controversial one is the sense of “brotherhood” amongst the Chinese ethnicity diaspora in Southeast Asia. It has long been suspected of harboring favorable views against its Beijing counterpart, notwithstanding the Confucianism ties in the region.⁴⁹ The second one is

⁴⁵ Acharya, A., 2011. The Evolution and Limitations of ASEAN Identity. *ERIA*,.

⁴⁶ Jones, M., 2004. Forging an ASEAN Identity: The Challenge to Construct a Shared Destiny. *Contemporary Southeast Asia*, 26(1), pp.140-154.

⁴⁷ Lukes, S., 2005. Power and the Battle for Hearts and Minds. *Millennium: Journal of International Studies*, 33(3), pp.477-493.

⁴⁸ Rothman, S., 2011. Revising the soft power concept: what are the means and mechanisms of soft power?. *Journal of Political Power*, 4(1), pp.49-64.

⁴⁹ Jiménez-Tovar, S. and Lavička, M., 2019. Folklorized politics: how Chinese soft power works in Central Asia. *Asian Ethnicity*, 21(2), pp.244-268.

the potential rift and unrest created by the sympathizers against the existing social-cultural structure. Western-based liberal norms and values are becoming a growing trend in the region, and some of them contradict the standing social-cultural arrangement.⁵⁰ If these clashing ideas are not mitigated, and tension arises, a problem that was supposed to be a social-cultural one could spread like wildfire into other aspects.⁵¹ The case of ‘universal human rights’ is a pain in the back for most Southeast Asian states, as the issue of creating a balance between the revisionist ‘progressives’ and status-quo ‘conservatives’ was not always peaceful and satisfied both sides.⁵² The recent phenomenon, such as Thailand⁵³ and Myanmar, lived as proof of this clashing interest.

Conclusion

The rise of great power competition presents a new challenge to ASEAN. Unlike the rivalry between the Soviet Union and the United States, China has a much better position to influence economic (and possibly political) that would be on par or surpass Washington. Through this working paper, it is analyzed that the ASEAN Communities have provided a strong resiliency in a few aspects while still needs a lot of improvement in the others. ASEAN’s ideological and political resiliency have firmly resisted the waves of great power competitions by staying united. However, the same could not be said for the defense-security, economic, and social-cultural aspects where ASEAN still needs a lot of improvement to enhance its resilience capability and capacity against great power competition.

⁵⁰ Huntington, S., Ajami, F., Mahbubani, K., Bartley, R., Liu, B., Kirkpatrick, J., Weeks, A., Piel, G., Hoffmann, S., Muller, J. and Moisi, D., 2010. *The Clash Of Civilizations?*. New York, NY: Foreign Affairs.

⁵¹ Wither, J., 2016. Making Sense of Hybrid Warfare. *Connections: The Quarterly Journal*, 15(2), pp.73-87.

⁵² Kliem, J., 2019. *Human Rights In Southeast Asia And The ASEAN Intergovernmental Commission On Human Rights (AICHR) | German-Southeast Asian Center Of Excellence For Public Policy And Good Governance (CPG)*. [online] Cpg-online.de. Available at: <<https://www.cpg-online.de/2019/07/01/human-rights-in-southeast-asia-and-the-asean-intergovernmental-commission-on-human-rights-aichr/>> [Accessed 22 August 2020].

⁵³ Aljazeera.com. 2020. *Parit Chirawak Vows To Join Major Protest In Thailand On Sunday*. [online] Available at: <<https://www.google.com/amp/s/www.aljazeera.com/amp/news/2020/08/parit-chirawak-vows-join-major-protest-thailand-sunday-200816011811036.html>> [Accessed 22 August 2020].

BIBLIOGRAPHY

- Acharya, A., 2011. The Evolution and Limitations of ASEAN Identity. ERIA,.
- Aljazeera.com. 2020. Parit Chirawak Vows To Join Major Protest In Thailand On Sunday. [online] Available at: <<https://www.google.com/amp/s/www.aljazeera.com/amp/news/2020/08/parit-chirawak-vows-join-major-protest-thailand-sunday-200816011811036.html>> [Accessed 22 August 2020].
- Bae, K., 2018. Seeing ASEAN as a platform for spreading liberalism. *International Journal: Canada's Journal of Global Policy Analysis*, 73(1), pp.33-48.
- Berti, B. and Guzansky, Y., 2014. Saudi Arabia's Foreign Policy on Iran and the Proxy War in Syria: Toward a New Chapter?. *Israel Journal of Foreign Affairs*, 8(3), pp.25-34.
- Chang, C., 1979. ASEAN's Proposed Neutrality: China's Response. *Contemporary Southeast Asia*, 1(3), pp.249-267.
- Chua, D., 2016. America's Role in the Five Power Defence Arrangements: Anglo-American Power Transition in South-East Asia, 1967–1971. *The International History Review*, 39(4), pp.615-637.
- Clarke, B., 2019. Pakistan and the Quadrilateral Security Dialogue: Current and Future Perceptions. *IPRI Journal*, 19(1), pp.30-55.
- Coe, N. and Yeung, H., 2019. Global production networks: mapping recent conceptual developments. *Journal of Economic Geography*, 19(4), pp.775-801.
- De Koninck, R., 2006. On the Geopolitics of Land Colonization: Order and Disorder on the Frontiers of Vietnam and Indonesia. *Moussons*, (9-10), pp.33-59.
- Elisabeth Siahaan, S. and Risman, H., 2020. STRENGTHENING ASEAN CENTRALITY WITHIN THE INDO-PACIFIC REGION. *PEOPLE: International Journal of Social Sciences*, 6(1), pp.254-266.
- Feith, H. and Weinstein, F., 1978. Indonesian Foreign Policy and the Dilemma of Dependence: From Sukarno to Soeharto. *Pacific Affairs*, 51(1), p.149.
- Feraru, A., 2016. ASEAN Decision-Making Process: Before and after the ASEAN Charter. *Asian Development Policy Review*, 4(1), pp.26-41.
- Fujiwara, K., 2000. Autocratic Peace: ASEAN in Comparative Perspective. *Democratization and International Politics/Economics*, 2000(125), pp.147-161.
- Gnanasagaran, A., 2017. Economic Integration, The ASEAN Way. [online] The ASEAN Post. Available at: <<https://www.google.com/amp/s/theaseanpost.com/article/economic-integration-asean-way%3famp>> [Accessed 22 August 2020].
- Han, E., 2020. Myanmar's Internal Ethnic Conflicts and Their Implications for China's Regional Grand Strategy. *Asian Survey*, 60(3), pp.466-489.
- Harsawaskita, A., 2007. Great Power Politics: Suatu Pandangan Geopolitik. *Transformasi dalam Studi Hubungan Internasional*, pp.56-70.
- Hew, D. and Soesastro, H., 2003. Realizing the ASEAN Economic Community by 2020: ISEAS and ASEAN ISIS Approaches. *Asean Economic Bulletin*, 20(3), pp.292-296.

- Humphreys, D., 2017. In search of a new China: mineral demand in South and Southeast Asia. *Mineral Economics*, 31(1-2), pp.103-112.
- Huntington, S., Ajami, F., Mahbubani, K., Bartley, R., Liu, B., Kirkpatrick, J., Weeks, A., Piel, G., Hoffmann, S., Muller, J. and Moïsi, D., 2010. *The Clash Of Civilizations?*. New York, NY: Foreign Affairs.
- Jiménez-Tovar, S. and Lavička, M., 2019. Folklorized politics: how Chinese soft power works in Central Asia. *Asian Ethnicity*, 21(2), pp.244-268.
- Jones, D. and Smith, M., 2007. Making Process, Not Progress: ASEAN and the Evolving East Asian Regional Order. *International Security*, 32(1), pp.148-184.
- Jones, G., 2002. Southeast Asian urbanization and the growth of mega-urban regions. *Journal of Population Research*, 19(2), pp.119-136.
- Jones, M., 2004. Forging an ASEAN Identity: The Challenge to Construct a Shared Destiny. *Contemporary Southeast Asia*, 26(1), pp.140-154.
- Juego, B., 2015. The Political Economy Of The ASEAN Regionalisation Process | Heinrich Böll Stiftung. [online] Heinrich-Böll-Stiftung. Available at: <https://www.boell.de/en/2015/10/28/political-economy-asean-regionalisation-process> [Accessed 22 August 2020].
- Kamasa, F., 2017. ASEAN Centrality in Asian Regional Architecture. *Global South Review*, 1(1), p.63.
- Kliem, J., 2019. Human Rights In Southeast Asia And The ASEAN Intergovernmental Commission On Human Rights (AICHR) | German-Southeast Asian Center Of Excellence For Public Policy And Good Governance (CPG). [online] Cpg-online.de. Available at: <https://www.cpg-online.de/2019/07/01/human-rights-in-southeast-asia-and-the-asean-intergovernmental-commission-on-human-rights-aichr/> [Accessed 22 August 2020].
- Konick, R. and Rousseau, J., 2013. Southeast Asian Agricultures: Why such Rapid Growth?. *L'Espace géographique*, 42(2), pp.143-146.
- Lee, J., 2019. Did Thucydides Believe in Thucydides' Trap? The History of the Peloponnesian War and Its Relevance to U.S.-China Relations. *Journal of Chinese Political Science*, 24(1), pp.67-86.
- Lukes, S., 2005. Power and the Battle for Hearts and Minds. *Millennium: Journal of International Studies*, 33(3), pp.477-493.
- Mardiyono, H., 1983. *Geopolitik, Teori Dan Strategi Politik Dalam Hubungannya Dengan Manusia, Ruang Dan Sumber Daya Alam*. Surabaya: Usaha Nasional, pp.70-82.
- Mearsheimer, J., 2019. Bound to Fail: The Rise and Fall of the Liberal International Order. *International Security*, 43(4), pp.7-50.
- Murphy, A., 2017. Great Power Rivalries, Domestic Politics and Southeast Asian Foreign Policy: Exploring the Linkages. *Asian Security*, 13(3), pp.165-182.
- Nishikawa, Y., 2007. The "ASEAN Way" and Asian Regional Security. *Politics & Policy*, 35(1), pp.42-56.
- Park, S. and King, V., 2013. *The Historical Construction Of Southeast Asian Studies: Korea And Beyond*. Singapore: ISEAS Publishing.

- Pelkmans, J., 2019. Understanding the ASEAN economic community: pragmatism versus conceptualism. *Asia Pacific Business Review*, 25(5), pp.619-636.
- Pombhejara, V., 1981. Natural Resources and Raw Materials in Southeast Asia. *Asia and the New International Economic Order*, pp.164-173.
- Quayle, L., 2019. Southeast Asian perspectives on regional alliance dynamics: the Philippines and Thailand. *International Politics*, 57(2), pp.225-241.
- Rothman, S., 2011. Revising the soft power concept: what are the means and mechanisms of soft power?. *Journal of Political Power*, 4(1), pp.49-64.
- Schmid, J., 2019. Hybrid warfare on the Ukrainian battlefield: developing theory based on empirical evidence. *Journal on Baltic Security*, 5(1), pp.5-15.
- Severino, R., 2003. Sovereignty, Intervention and The ASEAN Way. In: *ASEAN Scholars' Roundtable*. Singapore: ASEAN Secretariat.
- Shekhar, V., 2012. ASEAN's Response to the Rise of China: Deploying a Hedging Strategy. *China Report*, 48(3), pp.253-268.
- Steil, B. and Rocca, B., 2019. Trace China's Growing Economic Influence. [online] Council on Foreign Relations. Available at: <<https://www.cfr.org/article/belt-and-road-tracker>> [Accessed 22 August 2020].
- Tekunan, S., 2014. The Asean Way: The Way To Regional Peace?. *Jurnal Hubungan Internasional*, 3(2), pp.142-147.
- Wicaksono, A., 2007. Think ASEAN! : Rethinking Marketing toward ASEAN Community 2015. *Asean Economic Bulletin*, 24(2), pp.278-280.
- Wither, J., 2016. Making Sense of Hybrid Warfare. *Connections: The Quarterly Journal*, 15(2), pp.73-87.
- Wu, X., 2020. Technology, power, and uncontrolled great power strategic competition between China and the United States. *China International Strategy Review*,.
- Xianghui, Z., 2019. New Modes of Non-Military Intervention Under the Responsibility to Protect: The Case of the Rohingya Crisis in Myanmar's Rakhine State. *Stimson South Asian Studies*, (1).
- Yanjia, Q., 2015. He Ming, Southeast Asia ethnography series (4 books). *Asian Ethnicity*, 16(3), pp.408-409.
- Yin, Z., Dong, Q., Kong, F., Cao, D. and Long, S., 2020. Seasonal and Interannual Variability of the Indo-Pacific Warm Pool and its Associated Climate Factors Based on Remote Sensing. *Remote Sensing*, 12(7), p.1062.
- Yongnian, Z. and Chi, Z., 2018. The Belt and Road Initiative and China's Grand Diplomacy. *China and the World*, 01(03), p.1850015.
- Yuliawati, S., 2013. Pengukuran Gatra Sosial Budaya di Provinsi Nusa Tenggara Timur. *Jurnal Penelitian dan Evaluasi Pendidikan*, 15(1), pp.139-154.

CHAPTER 3

The Challenge of Cooperative Environmental Governance in ASEAN:

The Case of Hydropower Development in the Mekong River Basin

Fadilah Rahma

Author Note

Fadilah Rahma is a final undergraduate student majoring in International Relations. She focuses mainly on the environmental and animal welfare issues in Southeast Asia. She was a program intern at ASEAN Studies Center UGM.

Abstract

This paper aims to explain the Association of Southeast Asia Nations (ASEAN) challenge to address the environmental governance in the region with the study of water disputes in the Mekong River Basin. The study over the environmental cooperation of establishing environmental governance and institutional framework at the regional level has been heavily criticized on ASEAN's limit to address the problem among its respective member states. The paper tries to explain Forsyth's arguments about the problem with cooperative environmental governance in ASEAN. These arguments are justified by the Mekong River case, mainly because of the 'flaws' of the regional mechanism that prevents the regional-scale civil society from contributing or involved in the decision-making process and the different interests driven by more powerful actors' in the region. This paper suggests that ASEAN member states need to adopt domestic and regional governance mechanism reforms and synergize its interest to solve the transboundary environmental issues.

Keywords: ASEAN, Environmental Governance, Non-Interference, Environmental Sovereignty, Transboundary, Mekong River

Background

Environmental problems with the nature of cross-border between countries pose a challenge to regional organizations such as ASEAN to address it. However, ASEAN's policy of non-intervention impedes regional cooperation, especially on transboundary environmental issues. Therefore, ASEAN is frequently ill-equipped to mitigate ecological degradation within its political space (Dorman and Olsen, 2019). Environmental problems cause the direct consequences that triggered grassroots community movements that advocate for the community's interests. Thus, cooperative environmental governance is seen as a middle ground to accommodate the involved parties' solution.

Mekong River is one of the largest and longest rivers in Southeast Asia. It plays a significant role in millions of lives in the region. The estimation of 60 million people in the basin relies on the life of the Mekong River, as well as its resources, particularly the fishery sectors that is worth up to US\$17 billion per year. However, the dispute over the water management over the recent development of hydropower establishments has threatened Mekong River's sustainability and its people. Yet, despite the dispute's intensity on the consequence of hydropower development, ASEAN did not seem present or played an important role in solving the issues.

Currently, the Mekong River is in a critical condition, not only the threat of drought but also the threat of severe environmental disasters. It is recorded that in Nakhon Phanom Province, the water level reached only up to 1.5 meters high - the lowest height in 100 years (CNA, 2019). In several water storage areas, the water level recorded in 2019 has fallen to 10 to 20 percent of the capacity it can accommodate. It impacts economic activities such as shipping cargo and fishing boats to navigate its activities and the food security of civilians living in the watershed that depend on the Mekong River's water sources. With the estimation of an additional 134 projects from hundreds of planned for the lower Mekong to maximize its capacity, the threat of climate change, the user of water, and its management is highly controversial.

The Mekong River's water security and sustainability threat arise in the rapid development of various dam constructions for hydropower plants by riparian countries, leading to a water crisis to civilian arrest. The problems that arise are in the urgency to develop economic development opportunities that are implemented in hundreds of dam construction projects that will eventually be used to use hydropower plants. On the other hand, threats to water, food, and shelter security by civil society in river flow and environmental sustainability are among the

riparian countries are concerning Here, the Mekong River Commission becomes a regime that becomes the fulcrum in resolving and providing a middle ground in the problem where the members is also part of ASEAN member state itself.

We argue that the present policy mechanisms and the prevalence of 'environmental autonomy' within the ASEAN member states preclude cooperative environmental governance from tackling environmental governance's significant problem. The claim is laid out in three parts. The first part is on the theoretical structure for environmental governance. The next section, discusses transboundary water resources' environmental consequences in the Mekong River and its current mechanism as the challenge. The final section summarizes and suggests some policy ramifications in ASEAN's potential environmental governance to address those holes.

Environmental Governance and Regional Governance: A Framework

The concept of cooperative environmental governance has been defined as increasing citizen's participation in environmental policy and technological choices to make the policy-making process more deliberative and socially inclusive (Forsyth,2006). Through a collaborative partnership with the state or investors, the perspective highlights citizens' participation in environmental policy. The concept of governance refers to the opportunities for goal-oriented and deliberate intervention in society (Glasbergen,1998).

Glasbergen (1998) classify the models of governance in the field of environmental policy. Environmental governance forms a general notion as follows, first is the regulatory control. It gives a crucial role to governments as the regulators to process the change. It imposes stringent rules that constitute the mechanism of change. Second, market regulations. The model assigns the mechanism of price as the means to achieve growth. The governments are seen as the facilitators of the market process. The third is civil society. Its model put a vital role in the self-confident citizens and the social ties they spontaneously create. Next are the contextual control and self-regulation, where the critical part is assigned to the capacity for self-reflection in society's subsystem. Lastly, cooperative management. It has a crucial role in collaborative relations between governments, meditating non-governmental organizations, and private interest, as the mechanism for change in communication and dialogue.

The concept of environmental governance is heavily criticized as too optimistic in assuming local people's ability can shape environmental decisions. Forsyth (2006) argues how the grassroots and local participation in environmental choices are shaped by more powerful actors than the involved stakeholders' equal participation. The papers will elaborate on Forsyth

(2006) arguments on how cooperative environmental governance in ASEAN, in the case of water disputes in the Mekong River, is hindered by the more powerful actors. It is in line with the hydropower development projects supported by both leading key players, the governments, and the private sectors that shaped the market process and the policy's decision.

Cooperative Environmental Governance: The Challenge of Environmental Sovereignty

ASEAN has been facing a significant challenge to deal with environmental problems across the border. Many of them are difficult to regulate through a centralized, one-size-fits-all policy (Anbumozhi and Intal, 2015). It is because these problems vary across locations, and the involvement of the cases can be solved through the participation of local stakeholders, as they are essential to achieve the behavioral change to be addressed. But for the nature of ASEAN, it is different.

Anbumozhi and Intal (2015) argued that since the environmental issues were first inscribed on ASEAN's agenda in 1977, unfortunately, there has been a slow and often uneven trajectory of institutionalization of the environmental arrangement constructed by its member states, which tends to be a top-down, 'formal' process rather than spontaneous, private, or bottom-up. Mekong river case is no different, and that has become one of the significant challenges in building a Cooperative Environmental Governance in ASEAN. The main factors roots from Forsyth (2006) arguments about the local people's lack of ability to shape environmental decisions and how the grassroots and local participation in environmental choices shaped by more powerful actors rather than equal participation among the stakeholders. These arguments are justified by the Mekong River case, mainly because of the 'flaws' of the regional mechanism that prevents the regional-scale civil society from contributing or involved in the decision-making process and the different interests driven by 'more powerful actors' in the Mekong.

The Mekong River Basin has dynamic and varied cross-border environmental issues. In the recent rising cases about hydropower development, the dam resistance movements and increasing demand for energy in Thailand impacted the acceleration of dam construction in nearby Laos, creating environmental and social problems, also a significant concern. Furthermore, the hydropower dam built in upstream Vietnam in Cambodia has also severely impacted environmental problems such as flooding, pollution, biodiversity threat, and water use. However, even if ASEAN has encouraged the institutionalization in the ASEAN's decision-making framework and the participatory democratic mechanisms, unfortunately, it

still has no capacity nor space to provide the models of governance that are deliberative and socially inclusive.

The case of the lower Mekong basin suffered an extreme drought in 2019, with water flow falling 70–75 percent from the same time average in 2018. The river's flood cycle has been erratic and has adversely impacted fishing, agricultural development, and people's lives in the Mekong (Dore,n.d). These environmental problems extend beyond the boundaries of sovereign states. The industrial practices of hydropower development that affect the environment inherently conflict with external states' territorial integrity and civil society in many regions. But looking at the participatory government mechanisms, even the policy decision at the end of the day is most commonly implemented within the boundaries of a single sovereign domain. Some international ecosystem management regimes that do include participatory elements—for example, ASEAN's Mekong Basin Development Cooperation (Roy et al., 2011) are still very state-centric. When Laos's landlocked government constructs a dam on the Mekong River, it positively interferes with the rural fisheries, irrigation, watersheds, and interconnected hydrological structures of the hydropower development not only in Laos but Thailand and Vietnam (Dudgeon, 2000; Wright, 2016).

But, little did the established organization have the power to meditate on the dispute over the case. Take another example, the Xayaburi dam. Even amid the protests from villagers in Thailand, despite the threat of destruction of the local community's livelihoods, the development process is still going on and continuing. Hence, I argued that the conflict refers to the regional mechanism that provides a little space for other stakeholders such as NGOs and private sectors to involve or be involved in the decision making process.

The case of an environmental problem the Mekong was actually aggravated after the affected Mekong basin inhabitant made their case to the central government as well as the civil society with the help of many civil societies of people's organization, NGOs, and other citizen's group (Mutz and Nicola Benda,2015). Even though it shows the crucial role of the self-confident citizens and the social ties they spontaneously created in the process, highlighting the case to catch the attention was not enough. As the only 'platform' of intra-organizational government in the Mekong River, the Mekong River Commission, the region-level agencies leave all the national committees' decisions. This means they are not set up to incorporate the views, comments, or opinions of civil society into the policies and actions, even if it is intended to correctly solve problems or prevent the faced (Mutz and Benda,2015).

The Mekong River Commission was created as a form of cooperation as a regime derived from a cooperation agreement to ensure sustainable development in the Mekong River's watershed. As a donor-driven organization that is mandated to achieve environmentally and socially sustainable development of the Lower Mekong Basin, it is created given the hydropower boom that is mainly involved in the Lower Mekong. Yet, the Mekong river commission has been criticized for its inability to reconcile several high-profile conflicts among its member states. Recently Xayaburi and Don Sahong dam, the first two out of eleven Mekong mainstream hydropower plants to be built in the region, has been assessed. It will create some severe environmental consequences for the civil society in the riparian states, environmental degradation, and the natural resource heavily impacted by the development.

The mechanism has led the civil society to talk with the National Committee under each government. In that case, the member states have a more significant challenge. Not only because each of the member states has its own different culture and political climate that is different. Even though the issue of hydropower development creates cross-border environmental consequences, the mechanism on how the regional decision is made is also up to each government. So thus, incorporating the opinions of civil society never gets a spotlight in ASEAN. As a regional agency, ASEAN considered local people's views to be purely a matter of domestic concern in each country.

For example, in this case, ASEAN member states and the riparian state in Mekong river, Myanmar, Laos, Cambodia, and Vietnam are also part of the intra-governmental organization of Mekong River Commissions. When analyzing the political climate in these countries and how civil society can be involved in the decision making process, it varies but shares quite similar problems. Burma or Myanmar is under the control of an authoritarian military government where it is found hardly to criticize the government openly. Even if it is stated that the group of civil society in Burma is collecting the impacts of upstream development on the lives of minorities in northern Burma and appeal it to the international community, influencing the National Committee will not be an easy goal. Vietnam has hardly any NGOs with concern for Mekong-related environmental issues. Due to the political instability of Vietnam's central highlands and unfortunately, there are no local NGOs in Laos, and international NGOs with offices there find it hard to deal with politically sensitive issues such as the environmental and social harm caused by development. They cannot even work with local people to perform their impact studies (Elliot,2011). In Thailand, though there is a challenge with the political climate, the people's organization, researchers are collaborating to address the problems. Yet, an

international NGO that started a study on the environmental and social impacts of the Yali Falls Dam received a warning from the Vietnamese government about further involvement in the issue (Elliot, 2011). With those challenges, it is also hard for ASEAN to also involve directly in the matter.

Therefore, realizing cooperative environmental governance in ASEAN will not be an easy task, particularly looking at the nature and the character of ASEAN's intragovernmental organization mechanism. The Mekong River case, only one of the examples that showed the great challenge even of putting together the stakeholders with unequal power and opportunity distributions in each country and in the regional mechanism. Although civil society can, to an extent, influence the government is working toward solutions in some of these countries, there are situations in which the NGOs of one country alone are powerless. When it comes to cross-border issues, there is no equal mechanism to put these organizations' space into the spotlight in the decision-making process.

This is how the mechanism at the regional level becomes challenging to incorporate the voice of civil society. Penz (1996) argued that unitary states have the power to create the decision-making frameworks, and the state regimes will be concerned to maintain the state's control to assert itself. As the value that is expected that state regimes will be given priority over ensuring environmental sustainability, promoting environmental productivity, and protecting against environmental harm. But beyond that state, regimes can be as well expected to pursue their interest, whether merely as to stay in power or to enrich themselves and the elites they are part (Penz, 1996). This will lead to second arguments on how, in the case of the Mekong River, the different interests among its member states involved in the four riparian states in ASEAN and China.

The Limit in Regional Governance of Environmental Transboundary Issues:

Power and Interest

The challenge of cooperative environmental governance is also facing different interests from the riparian states in the Mekong. There are four member states of ASEAN that have a crucial position in hydropower and sustainability development, and another party, which is China, the country that has the power to 'manage' the upper Mekong- with its hydropower projects or dams. There are currently many overlapping and uncoordinated frameworks for the Mekong River Basin, which have different agendas and reflect the participating states' different interests and international agencies.

But again, as it is transboundary, the development requires planning particularly for the water management of the flood control irrigation, and electrical generation among the riparian states. Hydropower development is the most significant in the projects with the greatest economic profit. The ever-growing electric demand increases rapidly, mainly from Thailand, and even regionally, the cases also become complicated with China's investment to build many hydropower plants in the region. Lao, as the supplier that is abundantly endowed with the hydro capacity, and not to mention its potential with the estimation of more than half of the potential hydropower capacity of the Mekong Basin is in the rivers, streams, and lakes of Lao could be 'extracted' for the demand (Weatherbee, 1997). That shows how sustainability and environmental issues could be sensitive issues in the middle of development' interest' among the member states. It is only the matter of how and what the worse consequences are carried by the civil society that got evicted because of the development, the natural resources that are threatened, and the environmental degradation that is coming.

The only regional-based intergovernmental organization Mekong River Commission with the environmental and sustainability concern mainly over the hydropower development plants, also has no capacity nor enforcement mechanism to the members. The recommendation and the assessment on the Xayaburi dam, for example, asked the government of Laos to postpone it for ten years. Still, Laos has eventually paved the way for the rest of the proposed cascade of dams, that even much more fearsome could threats to the Mekong(Nijhuis,2015). Laos's government also has no signal to agree and stop the development of the Xayaburi while the assessment is being done. With the country courting foreign investments to become the battery of Southeast Asia, it sells hydro electricity to Thailand and other neighbors.

In late 2012 after years of denials, Laotian officials admitted that construction of the Thai-financed Xayaburi dam, on a remote stretch of the Mekong in northern Laos, was underway (Nijhuis,2015). It marks the private and government's complexity in the cooperative environmental governance in the Mekong River Case. Simultaneously, the Mekong resources are significantly affected Vietnam, as it is the world's second-largest coffee produce and the third-largest rice exporter. The estimation has accounted for 42 percent of the Mekong's irrigation and how the river supports tens of millions that are mostly substance farmers and disadvantaged poor. Yet, little did the Vietnamese government's pressure in terms of the urgency on environmental protection in line with the interest. The recent decision made by the private sectors from Vietnam, the Vietnamese oil company, has invested in the dam, Petrovietnam, is also devastating news for the activist group (Nijhuis,2015).

The so-called power trade deals have been signed-in the background even if the national newspapers and various international media condemn the upstream or the lower Mekong River development (Kuenzer et al., 2012). But again, the development will also not be achieved without any agreement from the national government, meaning the own domestic policies in each member state's countries. The interest shown as Thailand has signaled the interest in electricity imports from China's hydropower project planning, Vietnam, which relies on hydropower imports electricity mainly from China and Laos as the leading producer countries. It shows how the interest is apparent. The states with the private stakeholders try to capitalize on its river location by exploiting the river's resources as much as possible for its interests and needs, regardless of the consequences pending further downstream or the overall health of the hydraulic system (Kuenzer et al., 2012). With the benefit of power sales accrued primarily from the governments, state-owned enterprises, investors, construction companies, and hydropower operators, with some presumed trickle-down effects, the costs would be overwhelmingly borne by millions of rural poor (Mather and Brunner,2010).

Concluding Remarks: ASEAN Way Forward

The status quo and the mechanism of cooperative environmental governance in ASEAN have been facing numerous challenges among the stakeholders and the regional organization's capacity to address those problems. The improved regional governance, especially for the environmental issues, depends upon many actors to raise the incentives for intergovernmental cooperation, expand the civil society engagement, as well as the mechanism for cross-border accountability to achieve the goals (Ratner,2010).

Especially for the Mekong River Basin case, ASEAN needs to find the best mechanism to allow civil society to genuinely participating in the direct decision-making process. For most of the issues, NGOs, which promotes the bottom-up perspectives on the policies, were viewed as non-existent, tokenistic, and unwelcome. The ASEAN Charter principles can be implemented more extensively. The expected goals of environmentally sustainable growth can be expressed by drawing on those interactions and promoting institutionalization within the ASEAN decision-making system through participatory democratic processes, involving more civil society actors to deeply contribute to the process.

Even though expecting the domestic reforms within the ASEAN member states can hardly be achieved. Still, it is essential to ensure democratic participation in the decision-making process collectively handled with the 'same value' in the region. Nevertheless, the transboundary environmental consequences will also impact not only one or two 'victims' but also millions of lives. In the Mekong case, the threat of water and food security worsens because of climate change and the massive plant project currently still going.

Cooperative Environmental Governance in ASEAN will always face the challenge without any proper 'reformation' done by ASEAN for its tendency to solve regional issues from a very top-down process. The case of hydropower development in the Mekong Basin is only a small example of the complex issues faced by ASEAN member states in the realm of the environmental issue. Hence it is essential to accept the new forms of regionalism where the 'other stakeholders' civil society urgently needs to be better involved in achieving equal, collective, and cooperative environmental governance, mainly for ASEAN.

BIBLIOGRAPHY

- Anbumozhi, V. (2015). Can Thinking Green and Sustainability Be an Economic Opportunity for ASEAN? (pp. 34-37). Economic Research Institute for ASEAN and East Asia (ERIA).
- Almuttaqi, A. (2016). Why ASEAN must pay more attention to the Mekong Delta This article was published in thejakartapost.com with the title "Why ASEAN must pay more attention to the Mekong Delta". Click to read: <https://www.thejakartapost.com/academia/2016/06/10/why-asean-must-pay-more-attention-to-the-mekong-delta.html>.
- Dorman, B., & Olsen, T. (2019). The ASEAN Way Out? Toward Cooperative Environmental Governance in Southeast Asia. E-International Relations. Retrieved 7 September 2020, from <https://www.e-ir.info/2019/08/10/the-asean-way-out-toward-cooperative-environmental-governance-in-southeast-asia/>
- Dore, J. Environmental Governance in the Sub-Mekong. e Resource Policy Support Initiative (REPSI).
- Elliott, L. (2011). ASEAN and environmental governance: rethinking networked regionalism in Southeast Asia. Regional Environmental Governance: Interdisciplinary Perspectives, Theoretical Issues, Comparative Designs (Regov), 14, 61-64.
- Guttenfelder, D. (2015). Harnessing the Mekong or Killing It?. Retrieved 7 September 2020, from <https://www.nationalgeographic.com/magazine/2015/05/mekong-river-dams/>
- Hensengerth, O. (2017). Water conflicts and development in the Mekong: What role for ASEAN?. Retrieved 7 September 2020, from <https://theasiadialogue.com/2017/08/24/water-conflicts-and-development-in-the-mekong-what-role-for-asean/>
- Kuenzer, C., Campbell, I., Roch, M., Leinenkugel, P., Tuan, V., & Dech, S. (2012). Understanding the impact of hydropower developments in the context of upstream– downstream relations in the Mekong river basin. Sustainability Science, 1(1), 5-28.
- Penz, P. (1996). Environmental Victims and State Sovereignty: A Normative Analysis. Social Justice, 23(4), 41-61.
- Weatherbee, D. (1997). Cooperation and conflict in the Mekong river basin. Studies In Conflict & Terrorism, 20(2), 167-184.
- Mather R, Brunner J (2010) The Mekong river. Droughts, dams, and a defining moment in time. IUCN.

CHAPTER 4

Achieving Aspirational Targets: Public-Private Partnership in Spearheading Renewable Energy Development in Southeast Asia

Muhammad Fakhri Abdurrohman

Author Note

Fakhri is a program intern at the ASEAN Studies Center. His work consists of managing and executing programs held by ASC. His research interests include regional energy security, international trade, and government-business relations. Throughout his college years, Fakhri was the delegation of UGM to HNMUN 2017, the Head Delegate of UGM for EuroMUN 2018, and the President of JOINMUN 2018. Fakhri holds a BA in International Relations from Universitas Gadjah Mada and spent a semester abroad at Sciences Po Paris.

Abstract

Increasing energy demand in Southeast Asia creates a conundrum for governments of ASEAN Member States. Fulfilling energy affordability and accessibility for all citizens while maintaining the clean energy transition target proves to be a significant challenge for policymakers. With the falling prices of renewable energy procurement, governments are faced with the opportunity to achieve a faster transition. Provision of clean, reliable, and affordable energy is attainable more than ever. Public-Private Partnership (PPP) is not a novelty for Southeast Asian countries as various infrastructure projects, with differing success rates, have been conducted and undergoing construction. International PPP and the exploration of intra-ASEAN energy projects as a part of the larger ASEAN energy cooperation could be the key to better regional energy development. This paper first reviews the current ASEAN renewable energy outlook, including transitional targets, past and current projects. Past PPP practices will then be analyzed to help drive for more renewable energy projects in the region.

Keywords: *renewable energy, public-private partnership, development, ASEAN*

Background

The consensus for a transition towards clean, renewable energy has been made by countries worldwide under the framework of a larger goal of addressing global climate change under the Paris Agreement (UNFCCC, 2018). Countries have had differing successes in terms of meeting these targets. Southeast Asia is a region with steadily increasing energy demands with governments seeking to raise their status from lower to middle-income countries and from the middle to high-income countries. Driven by a rise in population, income, and rate of urbanization, the region will be the fourth largest energy consumer in the world by 2030 (IEA, 2019). However, approximately 70 million ASEAN citizens have no access to reliable electricity. With the rate of electrification on the rise, governments have the opportunity to use renewable energy to fill in the gaps of providing dependable electricity while maintaining the target for a clean energy transition. Achieving the region's energy demands will require a set of policy prioritizing that would attract a large mobilization of capital.

Overall energy investments have experienced a downward trend since 2015, largely due to a decrease in oil and natural gas supplies (IEA, 2019). The investments needed for the energy sector, similar to other large infrastructure projects, can not rely solely on the national budget or public fundings. The private sector would be essential in pushing for more renewable energy projects. In turn, attracting private capital would require policies from the government to ensure a proper risk allocation and bankability of the projects. Having a consistent policy commitment at the national and regional level is perennial towards achieving the long term goal of realizing clean energy for all. Global investments in renewable energy have experienced steady growth in the past decade, with most of the projects constructed under Public-Private Partnerships (PPP) (Cedrick & Long, 2017).

The United Nations have long endorsed the utilization of the public-private partnership framework to develop infrastructures related to public goods. The special representative for the UN Secretary-General for renewable energy has pushed for governments in Southeast Asia to create policy frameworks that incentivize investments for renewable energy (Renewable Energy for All, 2018). The energy sector is one of the prime examples of PPP as fuel and electricity resources are considered vital national objects. Subsequently, the development of renewable energy that requires a massive amount of investment would not be sustainable and competitive without the private sector. The aim of PPP is facilitating the private sector to participate directly in the development of this rising industry. In achieving any significant development scale, a PPP framework can mobilize capital, technology, operational know-how,

and analyze risk to develop, design, finance, build, operate and maintain renewable energy systems (UNECE). An IMF study reported that for every USD 1 investment in infrastructure, output raises by USD 3 as an impact towards growth.

A clear guideline for investors interested in ASEAN will lead to more efficient development, specifically in vital infrastructures. PPP could bring new alleys for cooperation between member states and thus strengthen the ASEAN community's bond. However, a PPP framework faces limitations on several fronts. First, several countries are less experienced with PPP and therefore will differ from prioritizing PPP as a public procurement process. A bureaucratic overhaul would be an essential preparation to advance PPP on a national scale. Second, the market characteristics and size of emerging economies might hinder investment on a significant level. In Indonesia, for example, the electricity market is monopolized by PLN, a State-Owned Enterprise (SOE) that leads to no competition in electricity purchasing. Third, the development gap between ASEAN member states comes as a challenge for lower-income economies to compete with middle-income countries (MIC) and high-income countries (Gill & Kharas, 2007; Acemoglu & Robinson, 2008). The transition towards renewable energy would be harder felt where MICs and HICs soak investments.

The ASEAN Economic Community (AEC) is advocated as a regional economic integration strategy that would bridge the gap and attract private financing to realize ASEAN connectivity. The ASEAN Comprehensive Investment Agreement (ACIA) stipulates articles that push for liberalization of investment regimes, transparency, and predictability of investment rules, regulations, and procedures. However, the aspiration for a full AEC integration has yet to reach significant progress, specifically in inter-region investments. The integration of financial reporting, investment regulations, and disclosure requirements are far from happening (JonesDay, 2016). Thus, the immediate development plan would need a specific national approach with regulations that support intra-ASEAN investments to boost PPP between companies and ASEAN Member States (AMS).

This paper aims to review the success factors from past PPP renewable energy and traditional energy projects to shed light on the feasibility of PPP in future RE projects in Southeast Asia. The research will cover case studies, PPP guidelines, and policy frameworks to assist the PPP projects.

ASEAN Energy Outlook

It is first important to note the current conditions of the ASEAN energy outlook in reviewing the probability of instilling PPPs in future projects. In power generation, investing in renewable continues to experience a decrease in cost. Southeast Asia's Levelized Cost of Electricity (LCOE) in solar panels has fallen by 65% in the past five years (IEA, 2019). However, the government's subsidies over fossil fuel consumption are still high, at around \$35 billion in 2018. This would subdue the transition for consumers to use renewable options. One of the key challenges in the transition is to get the price level competitive for alternative power sources. While alternative fuel slowly cheapens, conventional fuel still holds the lead in Southeast Asia with an expected slow decline to 63% of total energy sources by 2040. The efficiency of coal and other conventional fuels is also developed to reduce total consumption. The installed power generation in Southeast Asia consisted of 23% renewable energy, with 72% of the renewables coming from hydropower. Other renewable energy sources are expected to climb and curb hydropower's share of RE. ASEAN is targeting 23% of the total energy mix by 2035 while currently standing at 15%.

The Southeast Asia Energy Outlook 2019, written by the International Energy Agency (IEA), reports that the region is experiencing growth in energy influence by comparison to global energy generation and consumption. However, ascending is bolstered by fossil fuels. With each government aiming for universal access to electricity, the region is set to be a net importer of fossil fuel as alternative energy sources are minimal and indigenous fossil fuel production could not meet the demands. It is also important to understand the country-specific context of energy supplies and the respective development of renewable energy systems. A regional framework in renewable energy development would be irrelevant without a robust national implementation and a policy direction aligned with the said framework.

Malaysia has seen increased investment in renewable energy investment through PPP and private financing in the past five years. Competitive bidding programs are the flagship framework of attracting private financing in solar, biogas, and hydropower. The bidding process is aimed to create more competitive pricing between renewable energy and gas-based energy. Moreover, renewable energy generators will supply power grids instead of selling it to the national utility company, thus creating a more competitive price for customers (GlobalLead, 2019). These initiatives are aligned with three factors of renewable energy generations: availability, accessibility, and affordability. The current regional framework has been

established under the ASEAN Energy Scenarios. The current ASEAN Plan of Action for Energy Cooperation (APAEC) 2016-2025 emphasizes seven sectors of energy.

The ASEAN Power grid aims to kickstart a multilateral electricity trade. One of the ongoing projects is the trans-Borneo power grid between Sarawak Energy Berhad (SEB), Malaysia's state-owned energy company, and PT Perusahaan Listrik Negara (Persero), Indonesia's state-owned power utility. The grid would be an additional source of income for SEB and would also solve the problem of oversupply. Moreover, the grid could also reduce the CO₂ emissions, put to bed inefficient oil-based power plants, and diversify the West Kalimantan energy source (NSEnergy, 2017). Sarawak is expected to be a central provider of electricity under the same agreements. With the strategic geographical condition, Sarawak's Deputy Chief Minister Tan Sri Datuk Amar Dr James Masing is pushing for the region to be an ASEAN power grid powerhouse (BorneoPost, 2019).

The idea for a regional interconnector could also be used for better transmission and reduce the loss of power for renewables. The European model for interconnectors has been enacted in Norway and France as hydropower and solar panel power generation can be traded between neighboring states (Leinen & Langen, 2018). Pushing for more interconnectors between AMS could increase the attractiveness of renewable energy investments in the power generation sector.

The second sector is the Trans ASEAN Gas Pipeline that would enhance the connectivity for better energy security and accessibility through inter-state pipelines. Third, the clean coal energy technology to promote better technologies of coal plants that would enhance efficiency and reduce CO₂ emissions. Fourth, the Energy Efficiency and Conservation aimed to reduce energy intensity by 20% in 2020 based on the 2005 level, which has been achieved in 2018 (ASEAN Center for Energy, 2019). Fifth, the renewable energy sector aspires to achieve an energy mix of 23% renewables by 2025, with the current energy mix stands at 15% (Kanchana, et al, 2020). Sixth, the civilian nuclear energy initiative to build policies, technologies, and regulatory capacity of nuclear energy in the region. This poses a more vigorous challenge as the image of nuclear energy, despite its non-weapon use, is still widely negative. There are currently no solid plans for the development of nuclear energy plants (The ASEAN Post, 2018). Lastly, the regional energy policy and planning aimed at improving the energy sector profile internationally. Overall, the regional scenarios will eventually depend on the national development of the energy sector.

An important factor of conventional and renewable energy development is foreign investment. The development of coal power is dominated by investments from Japan, China, and South Korea. The governments of respective states, however, are aiming for the reduction of domestic consumption of coal. This is a good sign for renewables as the decrease in investments in coal would lead to more investments in renewables. The South Korean government has won the majority seat in 2020 through a renewable energy policy platform that includes eliminating overseas coal financing. Moreover, Japanese commercial banks have slowly pushed back investments from coal. International support for curtailing coal financing has also succeeded in letting the outdated technology die out in a world of climate change. Japan experienced a bit of an embarrassment over the Vung Ang 2 coal plant's funding in Vietnam, resulting in policy changes in the Japan Bank of International Cooperation to reject loan applications for coal-fired power generations. South Korea and China are also under immense pressure to shift investments towards clean energy.

Embracing renewable energy brings both technical and policy challenges. Out of all the technical challenges, lack of expertise is the biggest threat towards investments. Although each member state experiences a different level of expertise, the general challenge in assessing the risk of RE investments both in human resources and technology remains a large barrier. Secondly, the limited infrastructure capacity would hinder effective RE installment and use for electricity transmission. Third, the fragmented electricity grids in archipelagic states such as the Philippines and Indonesia are huge obstacles. However, overcoming these challenges is a lot easier provided there are political will and mobilization of capital as a result of political endeavors. The bigger problem lies in the policy challenges.

First, the government's lack of financial access and fiscal support would hinder any kind of development. With governments pursuing a health and economic recovery following the pandemic, funding towards RE could be a headache that the governments are fiscally unprepared for. Second, the development requires policies for land use and environmental impact of large RE projects that would attract investments while maintaining a steadfast guard over the environment. There is also a lack of a regulatory framework for RE technology introduction and development padded with a lack of coordination between government agencies and the private sector. The lack of coordination and a blueprint of RE development would hinder progress significantly. One of the biggest policy challenges is the complex bureaucracy within the government.

A prime example is PT PLN in Indonesia, a State-Owned Enterprise (SOE) that monopolizes transmission, distribution, and system operation of electricity in both the national and local electricity generation markets. This would hinder competition between private actors to take part in each chain of energy supply. Moreover, the lack of public support and awareness of renewables, the need for cleaner and more sustainable energy still looms large. Additionally, Country-specific contexts of RE strategies differ that could be a hindrance to the regional target. Developed states would be less pursuant to nationwide access to modern energy while developing states with low electrification rates still relies on traditional energy sources. Differing national energy priorities between countries that always deal with energy poverty and energy affordability.

In a regional context, there is a perceived threat to conventional energy security. With the perception of a negative-sum game between states in energy security where the more resources one country has, the fewer resources for other countries, regional cooperation would be harder to achieve.

Energy independence should be at the forefront of energy policy in avoiding negative perceptions towards foreign investment in domestic energy markets. Achieving this would require changes to the current regional power structure where emerging powers and relevant energy actors hinders cooperation. Furthermore, energy demand matched populist policies to ensure that cheap energy leads to foreign investment that imports back energy generation instead of pursuing independence and further energy trade between AMS. ASEAN needs a roadmap of electricity trade that includes the contextualization of commercialization and marketing of renewable energy to prevent emerging regional powers' dominance.

Targets

With the aspirational target of an ASEAN with 23% renewables in the energy mix by 2025 - 250% increase from 2014, the current energy mix of 15% looks pale. These targets were set with the aim to ease a lot of inter-ASEAN development of renewables (Kanchana, et. al, 2020). The IEA have summarized the policies and targets for the development of renewables in Southeast Asia countries in table 1 below:

| Country | Renewable Policies and Targets |
|-------------------|--|
| Brunei Darussalam | <ul style="list-style-type: none"> ● Achieve 10% of electricity generation from renewables by 2035 |
| Cambodia | <ul style="list-style-type: none"> ● Increase hydropower capacity to 241 megawatts by 2020 |
| Indonesia | <ul style="list-style-type: none"> ● Increase share of “new and renewable energy” in primary energy supply to reach 23% by 2025 and 31% by 2050. ● Renewable as a source of 23% of energy supply by 2025 - Now → 6% |
| Lao PDR | <ul style="list-style-type: none"> ● Achieve 30% share of renewables in primary energy supply by 2025 |
| Malaysia | <ul style="list-style-type: none"> ● Renewable energy source providing 20% of electricity by 2030 - Now → below 20% (IEA) ● Increase Capacity of renewables to 2080 MW by 2020 and 4000 MW by 2030 |
| Myanmar | - |
| Philippines | <ul style="list-style-type: none"> ● Triple the installed capacity of renewables-based power generation from 2010 level to 15 GW by 2030 |
| Singapore | <ul style="list-style-type: none"> ● Development of 1GW Solar after 2020 - Now → 255 megawatts ● Increase Solar PV capacity to 350 MW by 2020 and 1 GW beyond 2020 |
| Thailand | <ul style="list-style-type: none"> ● Thailand 30% of Energy by 2036 - → Now → 17% ● Increase share of renewables to 30% in total final energy consumption by 2036; ● increase share of renewables-based power to 36% in generation capacity and to 20% in generation by 2037. ● Increase share of renewables in transport fuel consumption to 25% by 2036. |
| Viet Nam | <ul style="list-style-type: none"> ● Vietnam 12 GW solar and 6GW wind by 2030 - Now → solar 5 GW and 4.7 GW wind. ● Increase the share of non-hydro renewables-based generation capacity to 12.5% by 2025 and 21% by 2030. |

Table 1: ASEAN Member States Targets of Renewable Energy Transition (IEA, 2019)

Several projects mentioned above are currently underway, with some using the PPP framework. While having challenges previously mentioned, achieving these targets requires changes far from the Business-As-Usual (BAU) energy scenarios. PPP should be sought after as an option for governments to strategize further RE projects. With the drive to increase ASEAN connectivity, faster and better RE development, governments will have the incentive to explore this path. PPP makes way for innovation, efficiency, and quality while having projects that would give the public better end products.

Best Practices in PPP

Concerns around the feasibility of PPP projects are well-grounded as past cases that have yet to materialize would cast doubt over future projects' implementation ability. Attracting private investments through PPP requires a different set of prerequisites from traditional procurements. Although PPPs are subject to specific agreements resulting in different technical, financial, and legal arrangements, the world bank widely defines the differences between PPP and traditional procurement as follows:

- Government transfers design, construction, and operational risk to private parties over the term of contract under PPP.
- Traditional procurement uses an input specification, fully describing the assets to be constructed and the manner of constructions.
- PPP uses output specification, defining the services delivered, and leaving the method to the private party.
- Management of assets, including life cycle cost risk, is undertaken by private parties.
- Private party meets the cost of providing assets and delivering services.
- Traditional procurement limits private party involvement in design, construction, and operational innovation.
- PPP encourages design and construction innovation, incentivized and efficient management, and better quality construction for lower life-cycle costs

The world bank had long proposed for the exploration of PPP in infrastructure development both for developed and developing countries (World Bank, 2019). Several advantages of PPPs in the energy sector include, but not limited to; 1) Introduction of new technologies and the technical know-how of utilizing the technology to provide public services with an improved operational efficiency; 2) incentivizing private sectors to deliver projects on time and within budget; 3) developing the capacity local private sector through joint ventures and sub-contracting; 4) using PPPs as a way to ensure the transfer of skills to increase the capacity of local firms. These advantages also come with several potential risks.

First, there is a risk of a higher cost in PPPs compared to traditional government procurement. Governments would need to ensure a sound analysis of value for money in these projects. RE projects would be a lot trickier as one of the biggest challenges to clean energy is the projects' profitability. This could be overcome through targeted government subsidies on renewables to ensure the price competitiveness of renewable products. Second, PPP projects highly depend on the operating cash flow and a certain return on investments that depend on demands. Regulations from the government could also overcome this by creating a scheme of availability payments. Indonesia had recently rolled out new regulations that would incentivize companies to invest by creating a new payment scheme. Firms would not have to worry about the revenue risk as to the procurement alone, provided it meets certain standards, which would entitle firms to an availability payment regardless of the demand levels (Toime, 2015). Another risk is the social and political challenges that an RE project may summon. Having public support is also important, specifically in sites of construction. A large project in a new sector would require a political champion that would help direct the government's political will to support it.

A robust legal and regulatory framework is essential to realize sustainable RE development. The longevity of these projects and the complexity associated make it more complex to identify all possible contingencies during project development. Events and issues may arise that were not anticipated. While some of these issues will be able to be addressed in the PPP agreement, some of them will likely need to be managed during the course of the project (World Bank, 2016).

Procurement Process in PPP

Different PPP projects would require specific agreement designs that should meet the context of the sector, the region, and the local regulations. There are several steps to the general procurement

process of a PPP. The Economic Research Institute for ASEAN and East Asia (2014) published PPP guidelines for the use of government agencies and actors in ensuring that PPP would benefit the public. The guideline was explicitly designed to meet the unique condition of ASEAN countries. It aims to give a ‘common set of policy principles’ for AMS to increase cross-border PPP projects and harmonize regulations between member states. Generally, seven steps should be completed in creating PPP projects;

- Selection of projects that would be aligned to national development plans and regional strategies.
- Analysis of financial viability of the projects through cost-benefit analysis conducted by a government agency to ensure the need for a PPP
- Exploration of PPP value drivers such as better procurement outcomes, innovation and technology-based solutions.
- Formulation of output-based agreement that would ensure the responsibility of the private sector and the delivery of projects.
- Calculation of affordability for the government in taking the project. Some PPP require partial government financial assistance.
- Assessment of economic, social, and environmental impact of the project according to national standards.
- Describing governance framework for the project that entails the protocols of activities and administration. This requires principles of transparency, accountability, reporting, disclosure, and observance of codes of conduct.

These steps are precautions that have been established to ensure ASEAN member states taking on PPP projects would be protected from the potential risks. Several lessons from past PPP projects are analyzed in the next part.

PPP Case Studies

There has been an increase in the number of PPPs in the energy sector in ASEAN. One of the key challenges of private renewable energy development is the domination of SOEs in the energy market. PPP can become an alternative to offset the monopoly that would gradually liberalize the energy market and open up new competitions. PPPs are steadily replacing state enterprises in monopoly roles in the infrastructures because there are changes in the regulatory environment (Aldaba and Pasadilla 2010), p. 26). The market transformation suggests that SOEs' role in infrastructure is soon to be replaced by PPPs and market competition (Indonesia Ministry of Economic Affairs 2010). Private investments now have more significant roles in reducing SOEs' monopoly roles in ASEAN countries such as Lao PDR, Malaysia, and the Philippines.

Lao PDR's electricity sector relies heavily on private investment. Private investments control and operate the electricity grid in the cities of Laos. Useful electricity connections are seldom found apart from private controls (ASEAN-German Hydro Project, 2010). The private sector helps the Laos government in electricity generation, grid, and networks. Approximately 54 percent of the country's electricity generation is by private operators, while the government agency — Electricité du Laos — accounts for 44.6 percent of the electricity generation (Phongsavath, 2007). The private sector also participates in the development of huge hydro dam projects in Laos, transmitting the electricity generated to Thailand and Vietnam. An example is the Nam Theun 2 hydroelectric project (NT2) established by private and government partnership that generates electricity for Laos and Thailand (NTPC, 2010). Another example is the Theun-Hinboun Power Company Ltd as a public-private partnership that operates a hydropower plant in Laos (THPC, 2010).

The private sector is an essential player in electricity operation and development of the electricity infrastructure in Laos. Conversely, Malaysia had successfully turned an SOE into a privatized electricity company, the Tenaga Nasional Berhad, under a sharing of investments between public and private sectors (TNB, 2016). It eased the Malaysian government by enabling it to move away from dominant enterprises' direct role and allowing private investment in the electricity sector. The PPP replaced the state enterprise's monopoly role in Malaysia electricity under co-sharing of ownership between the public sector and the private sector. The move towards privatizing made way for other projects with other private sector actors in independent power generation.

ASEAN countries have been heading towards these changes. SOEs' role of monopoly in the electricity sector became collaborators of the private sector. This means that the SOEs are gradually being replaced by market orientation based on private investments under PPP. The PPP scheme in energy electricity could be a highly beneficial mechanism in creating market liberalization and competition in the ASEAN energy sector, leading to further development of the ASEAN infrastructure sector (Wisuttisak & Rahim, 2015). However, there is a need to ensure that collusive bidding does not happen in PPP procurement. Governments need to maintain a strong anti-corrupt and competitive bidding process. Politically connected corporations have enjoyed the bulk of large energy projects in the past (Bocchi, 2008). Thus, a healthy political environment is needed in RE development, as much as other sectors.

Regional Cooperation and PPP

There ought to be an advancement in harmonizing AMS and institutional reinforcement regulations through an ASEAN Energy Regulator. Harmonization of energy regulations in AMS will make a more extensive appreciation for private ventures. It will help manage the possible prevailing intensity of PPPs in every one of the AMS. Harmonization will likewise encourage the pace of ASEAN renewable development. Harmonization of guidelines can be a significant component to animate all the AMS to perceive the difficult tasks that lie in using PPPs and concede to the need to act territorially concerning the changing ASEAN energy sector under the increase of PPPs.

Moreover, aside from the local harmonization of regulations, it is vital to fortify those organizations that can manage the ASEAN vitality segment's rising issues under PPPs. Albeit, as of now, an ASEAN Energy Regulator Network has been set up, the system is still under discussion in how it would not be misused for national energy interests. The absence of a lasting and strong foundation that can help regional energy security can hinder PPP projects in ASEAN. In considering building a reliable energy availability in ASEAN, the foundation of an ASEAN Energy Regulator is expected to assemble regulatory power to manage more extensive provincial issues, mainly when there is public enthusiasm to ensure the PPPs.

The Way Forward

Another dimension of the global renewable energy transition is the recovery of the world economy after the covid-19 pandemic. The priority for governments and the people are on healthcare and economic well-being, with renewable energy and climate change far off the top of the list. Moreover, the downfall of oil prices in April, led by falling demand, would delay further transition as fossil fuels' cost is far cheaper than renewables (Wisuttisak & Rahim, 2015). The incentive for governments to push transition and the incentive for the people to use the relatively more expensive renewable energy is dropped. The governments would allocate public funding towards handling pandemic and economic recovery while plans for renewables are halted. However, the falling of renewables could be met with certain adjustments that could be aligned to the energy transition. Unnecessary subsidies put on fossil fuels and an overhauling subsidy of renewable energy investments would benefit clean energy initiatives.

The current global economic crisis implements this renewables policy framework, and the mobilization of finance potentially more challenging. Still, it also presents an opportunity to chart a new direction for the economy, with new sources of capital and expertise in a sector with high growth potential. In addition to precise and predictable policy reforms, public finance sources, including domestic and international development institutions, will be critical to help address investment risks and crowd-in international private capital sources. The existing fiscal space needs to be used wisely. Simultaneously, an improved policy, regulatory, and investment framework can help mobilize a more diverse pool of funding sources, especially from new investors and private-sector industry players.

Conclusions

Public-Private Partnership Strategy provides an avenue for a formal national energy development plan that would better the chance of a Southeast Asian clean energy transition. With a robust legislative framework and a clearly defined scope of work, a reconciling of energy supply security, climate change, and economic growth is achievable. Sustainable electricity policies will foster economic and social development and mitigate the financial risk for its investors. The establishment of these policy elements will remove barriers, stimulate investment, establish stable legal and regulatory frameworks, and provide incentives and financing to bring clean electricity to unserved and underserved populations.

Effective use of PPP through communication, well-defined roles, and long-lasting commitment to serve the public more efficiently could be the key to better PPP implementation. Ensuring that the project would run requires an alignment of public, private, and civil society to develop clean energy for all. Southeast Asia is home to the endless potential for renewable energy with a growing demand for energy consumption. Although the decision for a clean energy transition has been made, ASEAN still needs a considerable amount of capital to ensure the road to clean energy can be taken seriously. PPP can lead the way provided political champions to bring about changes in the ASEAN energy sector.

BIBLIOGRAPHY

Report(s):

- Acemoglu, D & Robinson, JA (2008). Commission on Growth and Development 2008. The Growth Report: Strategies for Sustained Growth and Inclusive Development. Washington, DC: The World Bank.
- ASEAN Center for Energy. (2014) ASEAN Clean Coal Technology (CCT) Handbook for Power Plant. ASEAN Energy.
- Bocchi, A. M. (2008). Rising Growth, Declining Investment: The Puzzle of the Philippines, World Bank.
- Cedrick, B., Long, P.W., (2017) 'Investment Motivation in Renewable Energy: A PPP Approach' *International Conference - Alternative and Renewable Energy Quest, AREQ 2017*.
- ERIA (2020) Implications of the COVID-19 Crisis for the Energy Sector and Climate Change in ASEAN. *Economic Research Institute for ASEAN and East Asia*.
- Gill, I., Kharas, H. and Bhattasali, D. (2007). An East Asian renaissance. [Washington, DC]: International Bank for Reconstruction and Development/World Bank.
- IEA. (2020) Attracting private investment to fund sustainable recoveries: The case of Indonesia's power sector. *World Energy Investment 2020*.
- IEA (2019) Southeast Asia Energy Outlook 2019. *International Energy Agency*.
- Indonesia Ministry of Economic Affairs (2010). What Private Investors Should Know About Investing in Indonesia's Infrastructure, Ministry of Economic Affairs, Republic of Indonesia.
- Phongsavath, A. (2007). Rural Electrification Situation Rural Situation in Lao PDR in PDR. CAP-REDEO meeting, Vientiane, Laos PDR, Capacity and institutional strengthening for Rural Electrification and development, Decentralised Energy Options
- Shani, N., Yurnaidi, Z. (2020) COVID-19 vs ASEAN Energy Sector: Renewables (Q2). *ASEAN Center for Energy*
- Wisuttisak, P., Rahim, M. M., (2015) 'ASEAN Energy Sector under Public-Private Partnership: Challenge for Market Governance,' *Conference on Interdisciplinary Business and Economics Research*.
- Zen, F., Regan, M., (2014) 'ASEAN Public Private Partnership Guidelines,' *Economic Research Institute for ASEAN and East Asia*.

Website(s):

- Ariffin, E. (2018, July 11). Will we see nuclear energy in Southeast Asia? Retrieved August 3, 2020, from <https://theaseanpost.com/article/will-we-see-nuclear-energy-southeast-asia>
- ASEAN Center for Energy. (2019, April 24). How do ASEAN Energy Efficiency and Conservation efforts progress in the first quarter of 2019? Retrieved August 3, 2020, from <https://aseanenergy.org/how-do-asean-energy-efficiency-and-conservation-efforts-progress-in-the-first-quarter-of-2019/>
- ASEAN-German Mini Hydro Project (2010). "Electric Power Situation in Lao PDR." from <http://agmhp.aseanenergy.org/focus-countries/2009/05/30/electric-power-situation-in-lao-pdr>.

- Energy, G. (2019, September 10). Malaysia renewable energy 2025: Private financing key to reaching target. Retrieved August 30, 2020, from <https://www.power-technology.com/comment/malaysia-needs-us8-billion-investment-to-achieve-20-renewable-energy-target-by-2025/>
- Jones Day. (n.d.). The ASEAN Economic Community. Retrieved August 3, 2020, from <https://www.jonesday.com/en/insights/2016/02/the-asean-economic-community-investment-opportunities-and-challenges-in-the-worlds-newest-market>
- Kanchana, K., Setyowati, A., Sembiring, M., Phoumin, H., Zhang, Z., Koppenborg, F., . . . *, N. (2020, April 14). Roadblocks to ASEAN's clean energy transition. Retrieved August 2, 2020, from <https://www.eastasiaforum.org/2020/04/14/roadblocks-to-aseans-clean-energy-transition/>
- Leinen, J., & Langen, W. (2018, June 04). Why Europe needs more electricity interconnectors, public and private. Retrieved August 3, 2020, from <https://www.euractiv.com/section/electricity/opinion/why-europe-needs-more-electricity-interconnectors-public-and-private/>
- Meza, C. (2020) Renewable Energy. UNECE International PPP Center for Excellence. Accessed 15 August 2020. <https://wiki.unece.org/display/pppp/Renewable+Energy>
- NS Energy. (2017). Trans Borneo Power Grid. Retrieved August 2, 2020, from <https://www.nsenergybusiness.com/projects/trans-borneo-power-grid/>
- NTPC (2010). "About- Nam Theun 2 Power Company (NTPC)." from <http://www.namtheun2.com/>.
- Sarawak aiming to be Asean power grid provider. (2019, September 30). Retrieved August 30, 2020, from <https://www.theborneopost.com/2019/10/01/sarawak-aiming-to-be-asean-power-grid-provider/>
- Sustainable Energy for All (2019) Southeast Asia: Shifting investment away from coal to renewable energy sources. Youtube. Accessed 2 August 2020. <https://www.youtube.com/watch?v=g6ZTpKQEtV0>
- The ASEAN Post. (2020, January 02). ASEAN quickly turning to renewable energy-hub. Retrieved August 1, 2020, from <https://theaseanpost.com/article/asean-quickly-turning-renewable-energy-hub>.
- THPC (2010). "Welcome to the Theun Hinboun Power Company." from <http://www.thpclaos.com/>.
- TNB. (n.d.). HISTORY. Retrieved August 20, 2020, from <https://www.tnb.com.my/about-tnb/history>.
- Toime, M. (2015, November 15). Commentary: Breaking the Deadlock in Indonesia's PPP Program. Retrieved August 2, 2020, from <https://jakartaglobe.id/opinion/commentary-breaking-deadlock-indonesias-ppp-program/>.
- UNFCCC. (2018, November 13). IEA: Clean Energy Needs to Grow Faster for Paris Goals. Retrieved August 3, 2020, from <https://unfccc.int/news/iea-clean-energy-needs-to-grow-faster-for-paris-goals>.
- World Bank. (2016). Government Objectives: Benefits and Risks of PPPs. Retrieved August 3, 2020, from <https://ppp.worldbank.org/public-private-partnership/overview/ppp-objectives>.

CHAPTER 5

“One Southeast Asian Civilization” - Pan-Southeast Asianism for Regional Integration

Truston Jianheng Yu

Author Note

Truston Yu is a media & publication intern at the ASEAN Studies Center, Universitas Gadjah Mada. They are also a research assistant on Southeast Asian politics at the University of Hong Kong, completing a double majors in politics and finance. Truston’s research interests include pan-nationalism and Southeast Asia’s external relations. They are currently working on a youth campaign called “One Southeast Asian Civilization” to promote a Pan-Southeast Asianist narrative. They could be contacted at trustonyu@connect.hku.hk.

Abstract

“Pan-nationalism”, a form of nationalism that tries to transcend and overcome traditional boundaries of basic national identities to arrive at a higher, more inclusive identification amongst countries of the same geopolitical region, is an intriguing phenomenon that can be found in almost every corner of the world. It is prevalent from the European continent to the forefront of the Global South, namely Africa and Latin America, yet surprisingly absent in Southeast Asia. What is the reason for this lack of presence of a pan-Southeast Asian nationalism in this vibrant and dynamic subcontinent? This Integrated Essay¹ seeks to build the case for the emergence of pan-nationalism in Southeast Asia and argues that pan-nationalism would greatly benefit the cause of integration in the Association of Southeast Asian Nations (ASEAN) region.

This essay begins by characterizing and contextualizing the idea of Pan-Southeast Asianism; it focuses on its significance concerning regional integration, and the supporting arguments are threefold: Southeast Asians today are blinded by national boundaries, and pan-nationalism helps them break out of this mindset; it also helps prevent the tragedy of Brexit from manifesting in ASEAN and lays the groundwork for institutional integration; finally, pan-nationalism orients countries towards a unified ASEAN in the face of a polarizing international order. “One Southeast Asian Civilization” is not only an aspiration for Pan-Southeast Asianists. It is an idea for a new social movement in the making.

Keywords: *Pan-nationalism, ASEAN, Southeast Asia, civilization, integration*

¹ This essay comes about as a result of my exchange studies under the 3 Campus East Asia Programme, in which I enrolled in a course on Contemporary Africa at Keio University, Tokyo. There I learnt about the idea of Pan-Africanism, which led me to ponder the absence of a Pan-Southeast Asianism. Subsequently, as part of my internship at the ASEAN Studies Center at Universitas Gadjah Mada, I continue to engage with this topic through a multitude of approaches and delivered a Project Presentation that surveys the concept of pan-Southeast Asian identification based on my internship experience and encounters within the region. This essay, thus, expands on this original presentation but places a much greater emphasis on the justifications for a Southeast Asian model of pan-nationalism in the contemporary moment.

Pan-nationalisms in Perspective

There remains no universal definition of “pan-nationalism”; The literature on this topic is limited, and interpretations vary amongst scholars. This essay builds upon the definition of pan-nationalism as “a form of nationalism that transcends the boundaries of a nation-state-based nationalism” to argue that this project can serve as a layer of identification on top of national identities even able to develop separately and independently from a particular national identity.

Parallels could be found in Samuel Huntington’s *The Clash of Civilizations*, in which it can be viewed in relations to “civilization”, a cultural entity that is the “highest cultural grouping of people and the broadest level of cultural identity people have short of that which distinguishes humans from other species” (Huntington, 1996). This affirms that pan-nationalism is both a political and a cultural identity that can be cultivated and nurtured by specific strategies that appeal to one’s belief and identification with the geo-political region both as a cultural and political entity². There are varieties of pan-nationalisms, and of which the anticolonial and regionalist elements are most noteworthy.

Pan-nationalism and Anticolonialism

One of the most prominent advocates for early pan-nationalism is the liberator of South America³, Simon Bolivar, who views pan-nationalism as an essential part of the anti-colonial struggle. Having organized revolts against the Spanish empire, Bolivar came to the Pan-Americanist realization that no one single colony would be strong enough to fend off the Spaniards alone. Thus liberty would have to come to “all of Hispanic America or none” (Castro-Klaren, 2003). Similarly, at a time when Western powers ravaged Asia, the Japanese Empire sought to promote a “Greater

² Notable examples of which can be found in regions with complex colonial histories that nevertheless share some mutual linguistic and cultural traits such as in Africa, Latin America, or even the pan-identification of the Chinese diaspora with China as a cultural “motherland”.

³ Simón Bolívar would eventually liberate more territory in Hispanic America than Napoleon had conquered, creating a giant state called Gran Colombia. His leadership in these independence revolutions earned him the title “El Libertador”.

East Asia Co-Prosperity Sphere” that held the promise of counterbalancing the European and American influences.⁴

Pan-nationalism and Regionalism

While it is easy, and thus tempting, to group pan-nationalism under the umbrella term of regionalism, or vice versa, such a reductive point of view should be cautioned or even warned against. Postwar Europe saw the rebirth and flourish of pan-nationalist discourses⁵ thanks to the integration efforts that would eventually lead to the European Union's establishment. Nowadays, it is common to see pro-Europe party leaders proudly wearing the EU flag pins alongside their country flags. This move marks a giant leap for the continent where war was the norm, including the two World Wars, which destroyed the region just decades ago.⁶

The Intersection of Pan-nationalisms

Huntington described that some states could be members of more than one civilization: indeed, there could be more than one pan-nationalist entity applying to a nation-state. Muammar Gaddafi of Libya was a champion of Pan-Arabism and proposed the creation of a unified Arab Islamic Republic, but later on, he steered Libya towards Pan-Africanism. Likewise, Indonesia finds itself at the crossroads of a Pan-Islamic civilization and a Pan-Southeast Asian civilization in the making - one in which Indonesia would take the central stage. Thus, as will be discussed below, for many countries in Southeast Asia, the pan-nationalist agenda would be compelling them to favor Pan-Southeast Asianism over other competing identities.

⁴ This Pan-Asian dominion unfortunately resulted in the Pacific War. Nevertheless, this early attempt can be interpreted as a Pan-Asian vision in the broadest geographical sense.

⁵ Pan-nationalist discourses bloomed amidst integration efforts in a postwar Europe: there is the Europe a Nation policy; the 1962 European Declaration; and the National Party of Europe, just to name a few.

⁶ Pan-Africanism is another of the most successful movements. United by the common struggles of colonialism, the transatlantic slave trade and racism, it transcends the African continent and resonated with the diaspora in Europe and the Americas. The combination of anticolonialism and regionalism exhibited could also be found in Pan-Southeast Asianism.

The Story of Southeast Asia

“Southeast Asia” proper is a relatively new construct that only emerged in the 1940s (Anderson, 1998) and was only consolidated with the ASEAN establishment. Historically, there has never existed a single nation, empire, or civilization that could encompass all present-day Southeast Asia. Instead, successive kingdoms and feudal systems rose to hegemony in different parts of the mainland and islands, whose dynamic borders reflect Southeast Asia's mercurial nature prior to the arrival of European colonialism. Yangon is drastically different from Dili⁷, yet there are a clear continuation and expansion of cultures along the coastlines (Bowring, 2019); Southeast Asia is heterogeneous yet contiguous.

Maphilindo

José Rizal (1861-1896), the Philippines' national hero, is considered the first⁸ pan-nationalist in Southeast Asia and is sometimes compared to Bolívar. When the Spaniards were feeding their colonial subjects with the narrative of a civilizing mission to educate the “uncivilized tribes of the Philippines”, Rizal sought to connect his homeland to the greater Malay sphere (Nery, 2011). He wanted to prove that the Filipinos were not savages before the colonizers' arrival, and his efforts earned him the honorific “Pride of the Malay race”.

Rizal's ideas evolved into the proposition of a Greater Malayan Confederation known as Maphilindo⁹. Indonesia's Founding President Sukarno tried to assert Indonesia's leadership in such a union, but unfortunately, this ended in the 1960s with a cold war between Malaysia and Indonesia known as Konfrontasi.¹⁰

⁷ Yangon is the largest city in Myanmar and the westernmost largest city in Southeast Asia; Dili is the capital city of Timor-Leste and easternmost capital city in Southeast Asia. From the Northwest to the Southeast, these two cities are the frontiers of the Southeast Asian region. Unlike how close Buenos Aires is to Bogota, Southeast Asia exhibits much greater diversity.

⁸ While the concept of Pan-Southeast Asianism (or *Southeast Asia* per se, for that matter) hardly existed in his time, Rizal is very likely the first Pan-Southeast Asianist.

⁹ Acronym for Malaysia, Indonesia, and the Philippines.

¹⁰ Sukarno resented the formation of the Federation of Malaysia, condemning it as a vehicle for the perpetuation of neocolonialism. Some would criticize Sukarno as an imperialist which tries to elevate Java and Indonesia's position within the Malay sphere.

Though Pan-Malay nationalism would be the more accurate term to depict Rizal and his successors' ideals, this serves as a predecessor or even a prototype for Pan-Southeast Asianism. Like Bolívar, there is a robust plan of anticolonialism in this ideology; there is an even stronger sense of “rebuilding” cultural ties severed by European colonists. However, all of these imaginations would eventually be crushed under the weight of the Cold War.

Cold War

The modern borders of Southeast Asian states are a product of European colonialism - empires fought for control in Southeast Asia. They carved up colonies for themselves, and it is these colonial boundaries. The post-independence governments inherited them. These borders are largely arbitrary due to the fact that they were drawn without regard for the ethnolinguistic groups across the region. As a result, the fringes became a hotspot for insurgencies following decolonization. The Philippines and Malaysia contested over Sabah, and Muslim Mindanao sought to secede from the Catholic-majority Philippines; From Aceh to Maluku, separatist movements spawned all across Indonesia; The Preah Vihear dispute between Cambodia and Thailand still runs today.

The Cold War's backdrop provided a convenient excuse for the persecution of alternative political voices: under the name of national security, communist and Islamist movements were banned; even peaceful protests were smeared as Marxist plots¹¹ (Vadaketh, 2017). Oxford Historian Dr. Thum Pingtjin remarked that during this period, all other imaginations of nationalism were crushed; what remains is the version of nationalism endorsed by the political elites¹²(Reid, 2010).

The ASEAN came into existence as a platform to counter the communist insurgencies in the region, but it also stood to protect its member states' sovereignty. Regimes may change within member governments, but no ASEAN member states were to intervene in domestic processes.

¹¹ 22 were arrested in the 1987 Operation Spectrum in Singapore, but in 2001 Deputy Prime Minister Tharman Shanmugaratnam stated that he did not believe the social activists were out to subvert the state; In Indonesia, the communist party PKI was blamed for the Indonesian crisis of 1965.

¹² From a personal interview with Dr. Thum for the purposes of an internship research project about the state of Southeast Asian studies.

ASEAN Identity

When the Cold War dissolved in the late 1980s, the ASEAN required a newer and more inclusive purpose¹³. When the EU took off in the following decade, the ASEAN jumped at the opportunity to emulate this model in the local settings. Thus, the ASEAN transformed itself from a politically segregated group to a regionalist institution that launched the Narrative of ASEAN Identity.

2020 is celebrated as the Year of ASEAN Identity, and in May, the ASEAN Secretariat published the first issue of *The ASEAN*, an official magazine targeted at both domestic and international audiences¹⁴(Yu, 2020). On the first page, Secretary-General Lim Jock Hoi expressed its goal to “contribute towards nurturing a sense of belonging and unity among ASEAN citizens” (Lim, 2020). Thus, like its African and European counterpart, the ASEAN Identity is born out of regionalism; it further provides a new vehicle for Pan-Southeast Asianist discourses.

While one could hardly argue against the importance of acknowledging such transnational ties, shared heritage alone does not suffice but must be improved upon with discursive effects. With a view on Southeast Asia's cultural and historical heritage, the upcoming sections offer three arguments for the contemporary significance of pan-nationalism in Southeast Asia.

Tearing Down the Wall

Southeast Asians of today still confine themselves to their own nationalities, and this phenomenon is not conducive towards the cause of ASEAN Integration. Divide and conquer has been the doctrine for European colonial powers, which strove to establish governance over a large population in foreign lands. They played local powers off against each other to keep each other in place instead of collaborating to rise against the colonists¹⁵. Though the European colonists pulled

¹³ The communist threat was nonexistent by this time, and insurgencies stopped in most of the Southeast Asian territories. Sovereignty was no longer a pressing concern like the decades prior.

¹⁴ In an article published by *The Diplomat*, I argue that “the significance of this magazine lies not only in the consolidation of an ASEAN identity within the region, but also in displaying ASEAN unity to the rest of the world.” In addition, as will be discussed further below, this magazine also serves as a form of “print capitalism” in an Anderson sense.

¹⁵ Similar patterns of colonial governance could be found in the Vietnamese colonial administrators in French Cambodia, or the Mestizos in the Spanish Philippines and the Chinese in the Dutch East Indies.

out of the region in the previous century, the divisions they created were perpetrated by the governments that took their place.

In Southeast Asia, the nascent states struggled to define themselves - nations were constructed out of states rather than the other way around. One such way would be the creation of the “other”, instilling the public with the distinction between “us” and “them”. An illustrative example would be the change in Singapore’s history curriculum and narratives - Temasek’s¹⁶ connection to the Malayan Peninsula was thrown out of the window completely (Bang! Bang!, 2020); Johor Bahru, despite being a mere kilometre away, became “a different world”. Postwar Southeast Asia perpetuated the colonial divisions until it is internalized in the minds of the adult generation today. Governments from the late 20th century onwards have reversed this trend with increased multilateral cooperation, though ASEAN still struggles to be relevant to the populace.

Within the Malay sphere, there is an age-old debate over the ownership of cultural heritage like the fabric dyeing style known as *batik* as well as regional cuisine. Indonesians, Malaysians, and Singaporeans like to quarrel over the “true origin” of *Rendang* - a spicy beef or chicken dish which was crowned “the world’s best food” (Cheung, 2017). While typical in Southeast Asia, this kind of debate is meaningless as the three countries have been historically connected. This group of “nationalists” misses the point by restricting themselves to modern national boundaries, which are artificial. Indeed, it is reflective of “residual” colonization in the mental space wherein the construction of the “other” is ingrained in the consciousness of Southeast Asians.

There is nothing wrong with celebrating one’s national identity - they are just as valid irrespective of their colonial roots. However, to be confined by national boundaries and to turn a blind eye to the wider regional ties would directly perpetuate colonial divisions.

Like the Pan-Malay ideology of Rizal and his successors, Pan-Southeast Asianism has this agenda of breaking down the invisible walls reinforced by post-independence governments. If people from Sabang to Merauke¹⁷ (Pelupessy, 2015) can come together to recognize themselves as being part of this relatively new entity called Indonesia (Yu, 2019), so can people across all of Southeast Asia

¹⁶ The old Malay name of Singapore before it was renamed to Singapura.

¹⁷ “Sabang to Merauke” is a commonly used phrase in Indonesia to depict the vastness of the Indonesian territory and its diversity.

acknowledge the cultural and historical threads that run through the region. Pan-Southeast Asianism would create a greater impetus for ASEAN Integration.

Setting the Stage for Regionalism

The ASEAN Community was launched in 2015 under the three pillars of political-security, economic, and socio-cultural integration. Five years later, 2020 is celebrated as the Year of the ASEAN Identity, with an official narrative pushed by Indonesia. The Master Plan on ASEAN Connectivity (MPAC) 2025 envisions a highly interconnected region that brings ASEAN citizens together (ASEAN Secretariat, 2018).

Looking at the wave of conservatism and counter-globalization as shown in the rise of figures like Boris Johnson, Marine Le Pen, and Donald Trump, one may question whether a narrative of pan-nationalism could gain a foothold in Southeast Asia. Fortunately, Southeast Asia does not seem to be affected by the same trends - ASEAN is not integrated enough for repercussions like in the EU, to begin with, though it does risk heading towards that direction. Brexit's tragedy shows that institutional integration would not be sustainable without the support of sociocultural integration (Yu, 2020). Britons saw their fellow EU citizens as the “other”, and the Brexit campaign capitalized on this xenophobic sentiment along with the lack of EU identity. The implication for ASEAN is that sociocultural integration is an essential prerequisite before other further integration forms could occur.

“From coexistence to cooperation to the community” succinctly depicts the evolution of ASEAN. As illustrated earlier, in its early days, ASEAN stood to safeguard the sovereignty of its member governments (*coexistence*). However, the institution developed rapidly at the turn of the 21st century, with the convening of ASEAN Summit meetings and the creation of the ASEAN Charter (*cooperation*). In addition to the non-interference principle, consensual decision-making became the core of the ASEAN Way. The first two phases were achieved solely by agreements reached between member states and did not involve the masses. For the last phase, however, ASEAN could only be called a community with the general public's participation. An ASEAN Community must

be one that is of the people. As Dato Lim proclaimed, “ASEAN needs to develop a sense of belonging and ownership among its 660 million people¹⁸.” (ASEAN Secretariat, 2020)

In an era of increased interconnectedness marked by the Master Plan on ASEAN Connectivity, there is bound to be more contact and interactions between Southeast Asian citizens. If ASEAN were to integrate further in an institutional sense, sentiments on the ground had to be addressed such that the wave of conservatism in Europe does not find a counterpart in Southeast Asia. This is probably one of the considerations behind the ASEAN leadership’s decision to roll out the ASEAN Identity.

Pan-Southeast Asianism, in this regard, is akin to its European and African counterparts as a means of mobilizing support for the regional institution. Southeast Asians should start seeing neighbors like family, and they should see themselves as a part of ASEAN.

Gravitating towards Southeast Asia

Since time immemorial, Southeast Asia has been the chessboard for competing for foreign influences: the competition between seafaring colonial powers since the 15th century; the Southeast Asian theatre of the Pacific War in the 1940s; the Cold War proxies between the Communist and Capitalist blocs; and now, most noticeably, the great power rivalry between China and the United States. In an increasingly bipolar world, many observers have asked whether Southeast Asian countries should hedge or bandwagon with either side of the Sino-US rivalry—however, the ideal way to reject this binary and become an active actor in international politics.

Instead of seeking space for maneuver in times of bipolarity, Southeast Asia should become the third pole. Widely acclaimed as the world’s second-most successful regional organization (Mahbubani, 2017), ASEAN has the potential to become the center of gravity like the European Union. ASEAN successfully prevented interstate conflicts in the region and has been acclaimed as a catalyst for peace (Mahbubani & Sng, 2017). With the ASEAN Regional Forum and the East Asia Summit’s track records¹⁹, ASEAN could contribute to peace and stability in the Asia-Pacific

¹⁸ At the Cross Sectoral and Cross Pillar Consultation on the Narrative of ASEAN Identity on 31 August 2020.

¹⁹ Both conferences are led by ASEAN and they engage a large number of external parties, including North Korea.

region. However, this could not be achieved when ASEAN member states are at odds with one another.

“United we stand, divided we fall,” such are the words cited by many prominent figures including Winston Churchill and Donald Tusk, President of the European Council. It serves as a timely warning for the region. Cambodia and Laos have long been seen as client states of China; The Philippines, Singapore and Thailand are treaty allies of the United States; Within Malaysia, there is a formidable proportion of the Malaysian Chinese who identify more with their ancestral homeland than their country. These fault lines have the potential of tearing ASEAN right through the middle; it is anything but conducive towards regional integration or the wellbeing of Southeast Asians.

Pan-Southeast Asianism, in this sense, is a gravitational pull towards ASEAN. As mentioned earlier, there are certain countries with other potential pan-nationalist orientations²⁰; outside the context of great power rivalry, Pan-Southeast Asianism also compels countries to prioritize a Southeast Asian orientation over others. Even in the worst-case scenario of a *Clash of Civilizations*, as Huntington prophesied, the fault lines would not run within a *Southeast Asian Civilization*. At any rate, a united ASEAN could help shield its member states from external pressure; Southeast Asia would have a far more active voice of rationality to mediate conflicting parties.

Challenges and Prospects

With Southeast Asia being such a diverse region, by far, the biggest challenge for a Pan-Southeast Asian discourse would be coming up with a single unifying narrative that encapsulates the entirety of Southeast Asia and Southeast Asia alone²¹. The common shared experiences of ASEAN

²⁰ Indonesia and Malaysia may consider themselves to be a member of the Pan-Islamic civilization; the Philippines was once considered to be in the same category with Latin America rather than Southeast Asia; Timor-Leste shares common heritage with the Melanesian islands of the Pacific.

²¹ One of the best answers the ASEAN could come up with is rice - while this is partially true and indeed Southeast Asian produces have been crowned the world's best rice, the rice culture itself is not uniquely Southeast Asian. On the other hand, some may opt for a narrower narrative which is based on the Malay culture, whose population accounts for half of Southeast Asia. This is just as inappropriate, if not even more so - The imposition of Malay culture onto other Southeast Asians would be yet another form of colonialism, wherein the culture of the majority dominates those of the minority.

membership²² would be the most plausible paradigm as a basis for an ASEAN Identity. Once Timor-Leste joins ASEAN as its 11th member, the regional institution would genuinely encompass Southeast Asia (Yu, 2018).

Promoting ASEAN to your everyday citizens is another practical challenge. At a live webinar, Indonesian Young ASEAN Ambassador Iqbal Darmawan shared his revelations talking to people outside of the big cities - Southeast Asia “doesn’t feel real” to the rural's average villager areas²³. Furthermore, Benedict Anderson attributed the rise of nationalism to print capitalism (Anderson, 1983), and this, in turn, relies on having a common language for nationalist materials to be propagated. Unfortunately, English literacy remains low, and there is no region-wide lingua franca.²⁴

ASEAN Studies Center UGM’s tagline “Bringing ASEAN Closer to You” is imperative for local governments and schools across Southeast Asia. ASEAN is one of the world’s youngest regions - quality education, including language education, and imbuing the youth with pan-nationalist ideals are the key for nurturing future regional leaders.

One Southeast Asian Civilization

The One Southeast Asian Civilization (1SEAC) movement is an idea first conceived in early 2020 and finally took off²⁵ in 2020, which I have been blessed to witness and be a part of during my internship. Bearing in mind that it is the current generation of youngsters that will rise to take the reins of ASEAN and its member states, 1SEAC seeks to create a network of young Pan-Southeast Asianists to empower each other. Common experiences shape a shared identity or a common sense of belonging, and 1SEAC aims to develop these common experiences by starting from a small

²² The only missing piece that remains is Timor-Leste which has been systematically left out of the organization.

²³ The webinar was titled “Indonesia, Youth, and the ASEAN Identity - a conversation with Iqbal Darmawan” and I was the moderator.

²⁴ *The ASEAN* magazine mentioned previously can be interpreted as a manifestation of Anderson’s print capitalism which seeks to promote the ASEAN Identity. However, its reach is limited to the small group of cosmopolitan elites who are mostly regionalists to begin with.

²⁵ At the aforementioned webinar with Iqbal Darmawan, we made the first public announcement of 1SEAC in public. It is now under preparation and will soon be launched officially.

scale.²⁶ Perhaps in the distant future, Southeast Asia could see the proliferation of ASEAN-phillic parties and transnational alliances like in the EU.

Conclusion

Great empires rose and fell throughout history, resulting in cycles of convergence and divergence in the region. Having torn apart ethnolinguistic communities while assembling multinational states, European colonization represented both divergence and convergence. The latest trajectory of ASEAN Integration presents an unprecedented opportunity for the resurrection of pan-nationalism in Southeast Asia and vice-versa.

This essay examines the past, analyzes the present, and prospects the future for pan-Southeast Asianism. Beginning with a personal anecdote, this essay made comparisons between various pan-nationalism concepts around the world and charted its development in Southeast Asia. Three arguments for Pan-Southeast Asianism in the contemporary era are presented: on a national level, pan-nationalism helps Southeast Asians tear down the invisible wall that separates them; on an institutional level, pan-nationalism is a prerequisite for further integration; on a global level, pan-nationalism could create a stronger regional bloc that could withstand external pressure to make its contribution to the broader world. The ending sections strengthened the case for Pan-Southeast Asianism by addressing the potential challenges and ways to circumvent them. A specific vision was born out of this internship experiential learning experience, manifesting in the One Southeast Asian Civilization movement.

For the great cause of regional integration, Pan-Southeast Asianism is not just an ideal - it is a necessity. Hopefully, someday all Southeast Asians, from Yangon to Dili, would come together to recognize themselves as “members of One Southeast Asian Civilization”.

²⁶ The flagship initiative of ISEAC is a Youth Dialogue which will consist of representatives coming from each Southeast Asian country. The Youth Dialogue will feature a series of interactive discussions and special speaker sessions, aimed at empowering Dialogue members in their own initiatives for the cause of Pan-Southeast Asianism. As of now, the group comprises an Indonesian educator, a Malaysian entrepreneur, and a Philippine civil servant.

BIBLIOGRAPHY

- Anderson, B. (1983). *Imagined Communities: Reflections on the Origin and Spread of Nationalism*.
- Anderson, B. (1998). *The Spectre of Comparisons: Nationalism, Southeast Asia, and the World* (pp. 1-20). Verso.
- ASEAN Secretariat. (2018). *The Master Plan on ASEAN Connectivity 2025 Deliverables for 2018 and ASEAN Connectivity Microsite Launched*. Retrieved from <https://asean.org/master-plan-asean-connectivity-2025-deliverables-2018-asean-connectivity-microsite-launched/>.
- ASEAN Secretariat. (2020). *ASEAN holds virtual consultation on ASEAN Identity narrative*. Retrieved from <https://asean.org/asean-holds-virtual-consultation-asean-identity-narrative/>.
- Bang! Bang!. (2020). *Dr PJ Thum - Speaking Truth to Power* [Video]. Retrieved 11 September 2020, from https://www.youtube.com/watch?v=HWJEgBpm_gY.
- Bowring, P. (2019). *Empire of the Winds: The Global Role of Asia's Great Archipelago* (1st ed.). Bloomsbury Academic.
- Castro-Klaren, S. (2003). Framing Pan-Americanism: Simon Bolivar's Findings. *CR: The New Centennial Review*, 3(1), 25-53. <https://doi.org/10.1353/ncr.2003.0004>
- Cheung, T. (2017). Your pick: World's 50 best foods. *CNN*. Retrieved 11 September 2020, from <https://edition.cnn.com/travel/article/world-best-foods-readers-choice/index.html>.
- Lim, J. (2020). Message from the Secretary-General of ASEAN. *The ASEAN*, (1). Retrieved 11 September 2020.
- Mahbubani, K. (2017). *ASEAN at 50: a view from Singapore*. The Strategist. Retrieved 11 September 2020, from <https://www.aspistrategist.org.au/asean-50-view-singapore/>.
- Pelupessy, D. (2015). Indonesia from Sabang to Merauke: 'Sine qua non'. *The Jakarta Post*. Retrieved 11 September 2020, from <https://www.thejakartapost.com/news/2015/11/20/indonesia-sabang-merauke-sine-qua-non.html>.
- Reid, A. (2010). *Imperial Alchemy: Nationalism and Political Identity in Southeast Asia*. Cambridge University Press.
- Vadaketh, S. (2017). Why Singaporeans need to discuss 1987's Marxist Conspiracy. *Mothership.SG*. Retrieved 11 September 2020, from <https://mothership.sg/2017/05/why-singaporeans-need-to-discuss-1987s-marxist-conspiracy/>.
- Yu, T. (2019). Ethnicity is futile. It's time for Indonesia to move towards civic nationalism. *The Jakarta Post*. Retrieved 12 September 2020, from <https://www.thejakartapost.com/academia/2019/09/20/ethnicity-is-futile-its-time-for-indonesia-to-move-towards-civic-nationalism.html>.
- Yu, T. (2019). It is confirmed - Jakarta remains the Capital of ASEAN [Blog]. Retrieved 12 September 2020, from <https://asc.fisipol.ugm.ac.id/2019/10/16/it-is-confirmed-jakarta-remains-the-capital-of-asean/>.

- Yu, T. (2020). What Does a New Magazine Tell Us About ASEAN's Push for Regional Integration?. *The Diplomat*. Retrieved 22 August 2020, from <https://thediplomat.com/2020/06/what-does-a-new-magazine-tell-us-about-aseans-push-for-regional-integration/>.
- Yu, T. (2018). 2019: The year of Timor Leste in ASEAN?. *The Jakarta Post*. Retrieved 12 September 2020, from <https://www.thejakartapost.com/academia/2018/12/13/2019-the-year-of-timor-leste-in-asean.html>.



ASEAN Studies Center Universitas Gadjah Mada
Faculty of Social & Political Sciences Universitas Gadjah Mada
2nd Floor Socio Justicia Street No. 1, Bulaksumur, Yogyakarta 55281
Tel: +62 275 563 362 ext. 151 - Fax: ext. 222
E-mail: aseansc@ugm.ac.id Website: asc.fisipol.ugm.ac.id