WORKING PAPER

KFG The Transformative Power of Europe

Do Regional Organizations Travel?
European Integration, Diffusion and the Case of ASEAN

Anja Jetschke

No. 17 | October 2010

Freie Universität Berlin

KFG Working Paper Series

Edited by the *Kolleg-Forschergruppe* „The Transformative Power of Europe"

The KFG Working Paper Series serves to disseminate the research results of the *Kolleg-Forschergruppe* by making them available to a broader public. It means to enhance academic exchange as well as to strengthen and broaden existing basic research on internal and external diffusion processes in Europe and the European Union.

All KFG Working Papers are available on the KFG website at www.transformeurope.eu or can be ordered in print via email to transform-europe@fu-berlin.de.

Copyright for this issue: Anja Jetschke
Editorial assistance and production: Julia Stark and Corinna Blutguth

Deutsche
Forschungsgemeinschaft
DFG

Do Regional Organizations Travel?

European Integration, Diffusion and the Case of ASEAN

Anja Jetschke

Freie Universität Berlin

Abstract

Why do regional organizations share a number of key institutions and policies? Why do regional organizations like the Economic Community of West African States (ECOWAS) or the Carribean Community (CARICOM) look like the European Union? And why do we find the norms of the Helsinki Final Act in treaties of the Association of Southeast Asian Nations (ASEAN)? The simple answer is that policy solutions developed in the context of regional integration diffuse. The paper contends that regional integration efforts in Europe have had a decisive but often unacknowledged influence on regional cooperation outside of Europe. The influence of European integration on regional organizations beyond Europe will be illustrated with a case that is unsuspicious of having emulated the European integration experience: The Association of Southeast Asian Nations (ASEAN). Since 1957, Southeast Asian states have selectively taken over policies and institutions from the European context. The most recent adoption, it will be argued, is the ASEAN Charter, in effect since November 2008. In accounting for this adoption, the paper argues that ASEAN members' decision is only partially driven by genuine regional or functional demands. Members borrowed from "abroad" expecting the Charter to provide a policy solution to the cooperation problems members faced. Thus, the paper makes an original general contribution to the existing literature on regional integration: It argues that a full account of regional integration processes needs to take diffusion processes into consideration.

The Author

Anja Jetschke is Margarete-von-Wrangell Fellow at the Department of Political Science at the University of Freiburg, Germany. She received her PhD from the European University Institute (EUI) in Florence, Italy. She has been a post-doctoral fellow at the Research College "The Transformative Power of Europe" from 2009-2010. Before that she was a fellow at the Mershon Center for International Security Studies at Ohio State University. Her most recent research focuses on the model character of the EU for other regional organizations and its limitations. Contact: anja.jetschke@politik.uni-freiburg.de

Contents

1.   Introduction[1]

Why do regional organizations share a number of key institutions and policies? Why do regional organizations like the Economic Community of West African States (ECOWAS) or the Carribean Community (CARICOM) look like the European Union? And why do we find the norms of the Helsinki Final Act in treaties of the Association of Southeast Asian Nations (ASEAN)? The simple answer is that policy solutions developed in the context of regional integration diffuse. The paper contends that regional integration efforts in Europe have had a decisive but often unacknowledged influence on regional cooperation outside of Europe. This becomes apparent in the timing of decisions for regional cooperation, the institutional structure of these regional organizations and clear references in which the experience of European integration is portrayed as having model character. These empirical observations suggest that it is necessary to systematically incorporate the effects of European integration into regional cooperation efforts outside of Europe. Moreover, they raise an important question: Why do regional organizations outside of Europe adopt institutions and policies from the EU or other regional organizations? In short, we need to integrate theories of diffusion in research on regional integration.

The influence of European integration on regional organizations outside of Europe will be illustrated with a case that is unsuspicious of having emulated the European integration experience: ASEAN. Having established ASEAN in 1967, member states have selectively taken over policies and institutions from a European context. The most recent adoption, it will be argued, is the ASEAN Charter, issued in November 2007. The Charter is a novel treaty committing all member states to more binding cooperation in the organization. The Charter envisions ASEAN a security, economic and socio-cultural community until 2015, promises the citizens of ASEAN member states better protection of their human rights and good governance and foresees a regional identity emphasizing caring societies and a better income distribution (ASEAN Charter 2008). Journalists described the endeavor as providing ASEAN with a "EU-style" set-up (International Herald Tribune 2007), and contended that Southeast Asian countries had decided to construct an economic and political union "modeled on that of the European Union" (EUobserver 2009)." The decision of Southeast Asian countries is remarkable considering that ASEAN has so far been heralded by its members and scholars as an organization that was deliberately set up differently from the European Union or its predecessors, the European Economic Community (EEC) and the European Community (EC). The so-called "ASEAN Way" of regional cooperation emphasizes constitutive norms that make the Westphalian state a centerpiece of regional cooperation, solidifies regional organization based on intergovernmentalism and stresses regulative rules like the reaching of consensus among member states. Its key characteristic is its low degree of institutional formalization. Over the last decade, ASEAN had become a model of its own kind, posing the obvious question: Why this Charter – and why at this point of time?

This paper argues that ASEAN members' decision to adopt a Charter is only partially driven by a genuine regional or functional demand for this institution. Rather, it is an instance of diffusion. The decision of ASEAN governments to adopt the Charter is influenced by developments to adopt a Charter by the European Union. Member states adopted the Charter because it provided a policy solution for ASEAN's specific cooperation problems at that time.

For theories of regional integration, the approach suggested here brings back a research agenda that has been a part of it in the early 1970s but since then has been neglected: Diffusion as an outcome of regional integration (Avery 1973). From this perspective, the decision for particular institutional designs is not exclusively determined by regional dynamics but at least partly influenced by the institutional and policy decisions of other regional organizations. Thus, the paper makes an original general contribution to the existing literature on regional integration: It argues that a full account of regional integration processes needs to take diffusion processes into consideration. Moreover, the paper contributes to the debate on the normative power of Europe and its efforts to promote itself as a model of regional integration (Bicchi 2006; Farrell 2005; Hyde-Price 2006; Manners 2008). This paper shows that the EU has served as a model of regional organization for a long time. If these voluntary adoptions take place, it is important to get better knowledge about what determines these adoptions.

The paper is divided into six parts. The first part provides a brief historical overview of ASEAN, thus offering ASEAN's conventional story of a regional organization that developed in the shadow of but autonomously from European integration. The second part contrasts this conventional view of ASEAN with evidence that ASEAN is in fact an isomorphic organization. It is set up similar to other European institutions, most importantly the European Free Trade Association (EFTA) and shares a number of organs with the European Union. Over its lifetime, ASEAN has adopted other institutions and policies that are part and parcel of the European integration experience. Building on a number of theoretical contributions in the diffusion literature (Elkins/Simmons 2005; Levi-Faur 2005; Meseguer 2009; Strang/Meyer 1993), the third part screens the theoretical literature on regional integration for potential explanations for these similarities and maps it according to a classification of bottom-up or top-down (or *vertical*) versus *horizontal* perspectives, and independent versus interdependent approaches to regional integration. In this classification, diffusion is a distinct type of perspective on regional integration focusing on horizontal influences and stressing interdependent relations between regional integration efforts. Here, regional organizations adopt similar institutions and make similar policy decisions because of the existence of important models of regional integration that serve as exemplars or social laboratories for learning and emulation. The paper illustrates diffusion with ASEAN's decision to adopt an ASEAN Charter to test these claims in part five and concludes with some notes on further research.

2.   The History of ASEAN: The Conventional View

This section will provide a brief overview of the establishment of ASEAN, its original goals, development and key treaties. ASEAN was established in 1967 by five Southeast Asian states, Indonesia, Malaysia, the Philippines, Singapore and Thailand, as a regional organization to promote economic integration. ASEAN's

founding document, the Bangkok Declaration, defined the goal of the regional organization vaguely: The aim was, most importantly, to "accelerate economic growth, social progress and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community" (Art. 1, Bangkok Declaration) and to promote regional peace and stability (Art. 2) through a number of policies in the economic, social, cultural, technical, scientific and administrative fields (Art. 3). One of the major rationales of the organization was to institutionalize cooperation to gain autonomy and leverage in international affairs.

Official emphasis on economic integration notwithstanding, domestic and international security considerations became a pivotal concern of the group. The desire to gain state security and regional autonomy by eradicating the internal sources of instability that potentially provided great powers with an opportunity to interfere in domestic affairs constituted a great impetus for the group. Thus, Singapore's Prime Minister Lee Kuan Yew emphasized in the late 1960s that "[i]n the next hundred years, we shall have to live with the fact that at present two, and later three superpowers, will contend in the Pacific and Indian oceans to … order the political and economic life to the maximum advantage of each superpower." Narciso Ramos, the Philippines' former Foreign Minister (until 1968) and one of the founding fathers of ASEAN saw the time come "for a truly concerted struggle against the forces which are arrayed against our very survival in these critical and uncertain times", and Indonesia's Foreign Minister Adam Malik stated that "Indonesia wants to see Southeast Asia develop into a region which can stand on its own feet, strong enough to defend itself against negative influence from outside the region" (all quoted in: Jorgensen-Dahl 1982: 73).

While the goals of regional cooperation are quite similar to the European Union, ASEAN members – according to the conventional view – set up their regional organization distinctly different from European regional organizations. Rodolfo Severino, ASEAN's Secretary-General between 1998 and 2002, contends that ASEAN took "the route of informality, of eschewing legal formulations and legally binding commitments, of avoiding elaborate regional, supranational institutions" (Severino 2006: 4). ASEAN and Asian regionalism has become the epitome of a specific network type of governance that appears to be quite distinct from the bureaucratized and formalized approach of the European Union (Aggarwal 2005; Jetschke 2009; Katzenstein 2005). The so-called "ASEAN Way" of regional cooperation is intergovernmental, and stresses informal rules, network-governance, decision-making based on consensus, and conflict avoidance instead of conflict management (Acharya 1999a; Caballero-Anthony 2005; Kahler 2000; Khong/Nesadurai 2007: 33f.; Solingen 2005: 32-36). A number of scholars have argued that it is precisely these norms that have promoted peace and provided regional order in Southeast Asia even if these norms deviate remarkably from Europe's emphasis on the transfer of sovereignty, democratic values and human rights. So the key argument is that ASEAN constitutes an important counter-model to the European Union, one that has achieved significant outcomes in the promotion of economic development and regional security with an institutional setup different from that of European organizations (Acharya 2009; Ba 2009; Goldsmith 2007; Haftel 2007; Johnston 1999; Kivimäki 2001).[2]

---

2   At the same time, ASEAN's constitutive norms firmly inscribing the Westphalian state in the regional organization are frequently criticized as greatest impediment toward greater efficiency and deeper integration (Narine 2009; Ravenhill 2008).

The conventional ASEAN story emphasizes organizational dissimilarity. While undoubtedly true, ASEAN also has a long history of surprising and unacknowledged direct responses to European integration efforts and adoptions of European institutions and policies that have remained unappreciated and unexplained. The next section therefore first takes a closer look at ASEAN's institutional design to argue that on a formal institutional level ASEAN is isomorphic to other regional organizations in Europe. The next section will then, second, point to other surprising similarities of policies and institutions that have so far remained undetected. When referring to similarities, I refer to the fact that two things share the same properties. I am not assuming functional equivalence or expect that these policies and institutions also have the same effects on policies or regional integration.

3.   European and Southeast Asian Regional Integration: Tracing the Similarities

A major claim in the literature on comparative regionalism is that ASEAN has been set up quite differently to the European Union (see above). But how different is ASEAN's institutional set-up in reality? Despite the burgeoning literature on ASEAN, we know little about ASEAN's institutional design (for overviews see: Wah 1992, 1995).[3] Although much has been made about ASEAN's "flying circus"[4] or the organization's little formalization (Acharya 1999a; Kahler 2000; Solingen 2005), ASEAN started with a structure quite similar to *all* European regional organizations.

There was, for example, the Nordic Council, established in 1952 as a regional organization between the Scandinavian countries (with the exception of Finland) and strongly eschewing supranationalism. Focusing on economic cooperation, the institutional design was inter-parliamentary. Until today, it is purely intergovernmental, does not issue binding agreements, has a permanent committee structure and a Secretary-General. In the Council, only parliamentarians have voting rights, owing to a "Norwegian fear that a vote by a member of its government would be interpreted as binding for the government as a whole" (Pedersen 1994: 20). There was, second, the European Economic Community, established in 1967 as a successor of the European Coal and Steel Community (ECSC) of 1952, with a supranational Commission with wide-ranging competences in the economic area. Third, in January 1960, Great Britain, Denmark, Norway, Austria, Portugal, Sweden and Switzerland founded the EFTA as a competitor to the EC. Like the Nordic Council, EFTA did not foresee political goals and institutions or the delegation of sovereignty by its member states. EFTA promoted a concept of "open regionalism" as it did not propose a common external tariff toward third countries and left the negotiation of external tariffs up to its member states (Haefs/Ziegler 1972: 68).

Viewed against this institutional variety in Europe, ASEAN did not look that dissimilar. In fact, EFTA might have served as the institutional template for ASEAN. Apart from small but significant deviations, all four regional organizations, ASEAN, the EC[5], EFTA and the Nordic Council share a core institutional structure:

---

3   Because ASEAN never developed the high profile of the EU, a scholarly discipline on ASEAN "integration" comparable to the EU never developed.

4   Former ASEAN Secretary-General Narciso G. Reyes, as quoted by ASEAN Secretariat, URL: www.aseansec.org/11850.htm; accessed in July 2008.

5   The European Community (EC) became the European Union after 1992. In the following, I will use both interchangeably.

A council of foreign ministers, meeting at least once a year (twice in the case of the EC and EFTA), with a chair rotating among its members and a specialized committee structure attached to it; a standing committee organizing work within the council meetings. For example, ASEAN's Standing Committee matches the Standing Committee of the EC, as stipulated by Art. 207 (1) of the EC Treaty and also mirrors its competence to establish permanent and ad hoc working committees.

Further down on an institutional level, all regional organizations share an institutional body representing the "head" of administration or "executive", variously called Secretary-General's office or – unique to the EU: commission – with Deputy Secretary-Generals and functional committees attached to it. The EU significantly diverges from this arrangement as it gave the commission an independent staff and supranational competences. An interesting similarity between ASEAN and EFTA is the fact that both locate their functional committees in member states and not in one location, as in the EU. Neither the Nordic Council, nor EFTA or ASEAN initially had a court, which is unique to the EU. In EFTA, a court and a parliament were created with the establishment of the European Economic Area (EEA) in 1994. Despite these structural similarities, ASEAN is the only regional organization that acquired the image of a "flying circus" suggesting an interpretative element in the institutional evaluation of the three organizations.

Despite a greater initial institutional similarity with EFTA or the Nordic Council, there is an interesting evolutionary institutional development in ASEAN, likening ASEAN to the EC after 1976. Two institutional developments characterize the European Community in the 1970s. These were the establishment of the European Council in 1975, an institution responsible for determining the overall direction that European integration should take. A further institutional development concerns the institutional strengthening of the European Parliament, which European citizens could elect for the first time in 1979. These two institutions can also be found in ASEAN. In February 1976, ASEAN member states established a High Council, intended as dispute settlement mechanism for the Treaty of Amity and Cooperation (but subsequently never utilized). And in September 1977, members of ASEAN parliaments formed the ASEAN Inter-Parliamentary Organization (AIPO) with the specific aim of anchoring ASEAN among the societies of ASEAN members. AIPO never assumed competences comparable to the parliament of the European Union, however, and its formal status was unclear, with the organization remaining outside ASEAN's formal decision making structure. The institutional structures have thus become more similar over time, but in a very superficial way.

Other similarities concern the substantial overlap between the Helsinki Accords of August 1975 and the Treaty of Amity and Cooperation and the Treaty of ASEAN Concord of February 1976: These two treaties mirror the norms (equality, sovereignty, renunciation from the threat or use of force, territorial integrity, peaceful settlement of disputes) and fields of cooperation that the Helsinki Accords establish. In the decade after 1997, ASEAN becomes even more similar to the EU, with institutional references to the EU increasing. From 1997 onwards, ASEAN organizes its regional cooperation in three areas, collectively referred to as "three pillars" of the organization: A political-security pillar, an economic and a socio-cultural pillar. In the economic area, ASEAN members now express their goal of establishing an ASEAN Economic Community by 2015, the first time that ASEAN members explicitly formulate the aim of "regional integration". We find an ASEAN Troika, established in May 2000, representing the former, current, and future Head of the Council of Ministers as formal representation of ASEAN's foreign policies, but equally never utilized (Haacke 2003). Table 1 compares major treaty events of regional integration in Europe and Southeast Asia.

Table 1: Comparison of EU and ASEAN treaty events (1957–2008)

EWG/EG/EU		ASEAN	
	Institutional structure	Content, Institution	
1952 Nordic Council		**1952**	
03/1957 Treaty of Rome		**07/1957** Southeast Asia Friendship and Economic Treaty (SEAFET)	
01/1960 (EFTA)		**1960**	
11/1961 (Fouchet Plan)		**07/1961** Bangkok Declaration 0 (ASA)	
07/1967 Fusion Treaty (Establishment of EC) gets into force		**07/1967** Bangkok Declaration I (Establishment of ASEAN)	
1971		**11/1971** Kuala Lumpur Declaration (establishing a Zone of Peace, Freedom and Neutrality)	
08/1975 [Helsinki Final Act]		**1975**	
11/1975 Inauguration of EC Council			
06/1976 1st direct elections to EC Parliament (debated since 1974)		**02/1976** Declaration of ASEAN Concord (Bali Concord), Treaty of Amity and Cooperation (TAC), ASEAN High Council	
1977		**09/1977** Establishment of ASEAN Inter-Parliamentary Union (AIPO)	
02/1986 Single European Act (common internal market, strengthening of EC Commission); comes into effect 07/1987		**1986**	
1987		**12/1987** Manila Declaration (significant acceleration of economic cooperation, improvement of PTA, AJIV, strengthening of secretariat)	
02/1992 Maastricht Treaty (Liberalization of trade, currency union, institutional reform: renaming of EC into EU, three-pillar structure, with three separate legal personalities), in effect 11/1993		**01/1992** Singapore Summit, (enhancing of economic liberalization of intra-ASEAN trade, institutional reform: strengthening of institutions: Secretariat, General-Secretary)	
05/1997 Treaty of Amsterdam (entry into force 05/1999) (area of freedom, security and justice, High representative for EU foreign policy, expansion of QMV) EU Troika		**1997** ASEAN Vision 2020 (vision of ASEAN as a concert of nations, partnership in dynamic development, community of caring societies)	
1998		**1998** Hanoi Plan of Action; Second Protocol Amending the Treaty of Amity and Cooperation in Southeast Asia;	
12/2000 Charter on Fundamental Human Rights		**2000**	
02/2001 Treaty of Nice (gains effect 02/2003); institutional reform		**2001**	
2001 Council Meeting in Laeken ("Convention on the Future of the Union")			
02/2002 Convention begins deliberations on European Constitution		**07/2002** First (unofficial) proposal for "ASEAN Charter of Human Rights"	
07/2003 Constitutional Treaty		**10/2003** Declaration on ASEAN Charter (to be adopted as Bali II Concord)	
10/2004 Official signature of Constitutional Treaty (to gain effect 1 November 2006)			
2005		**12/2005** ASEAN Summits establishes Eminent Persons Group (EPG) to work out Charter	
2006 Constitutional Treaty rejected in France and the Netherlands		**2006**	
2007 Lisbon Treaty (2009)		**2007** ASEAN Charter (three community concept; economic community by 2015, legal personality, Charter of Human Rights), to gain effect 1 November 2008	

## 4.	What Explains Institutional Similarities? – Mapping Theoretical Alternatives

What explains these similarities? Are they coincidental, an effect of similar external pressures or an outcome of diffusion? In this section, I will argue that existing approaches to regional integration have so far neglected the horizontal paths existing between regional organizations and affecting their decision-making. In general, a crucial assumption of most approaches to regional integration is that regional integration is a phenomenon that exists independently of other regional integration efforts and can be studied accordingly (Beeson 2005; Fawcett 2004; Hettne/Söderbaum 2000; Hurrell 1995; Sbragia 2008). Only recently have scholars, aided by an earlier literature on diffusion among regional organizations (Avery 1973), begun to systematically look at regional integration as a phenomenon shaped by diffusion and transnational processes (Bicchi 2006; Börzel/Risse 2009a; Farrell 2005; Jetschke 2007, 2009; Jetschke/ Rüland 2009; Katsumata 2010 (forthcoming)).

To facilitate the discussion of existing approaches, this section classifies existing approaches according to two dimensions: Whether they conceive of regional integration as dependent or interdependent phenomena, and whether they look at it from a horizontal or vertical perspective. The distinction between vertical and horizontal approaches helps us to classify those approaches that explain decisions for regional integration as a top-down process, in which hegemons, international organizations or – increasingly important – the impersonal forces of globalization shape regional integration efforts. These four types of situations can then be linked to different theoretical literatures in the field of international relations as displayed in Table 2. Studies focusing on globalization conceive of regional integration as attempts to shield states from the negative effects of a globalized economy. A hegemonic coordination perspective assumes that institutions have similar characteristics because they have been set up by the same hegemon. The rational design of international institutions assumes that regional integration schemes emerge as a result of structural or unit type similarities that shape the design of international organizations. In this matrix, diffusion approaches represent a type of approach stressing the interdependence between regional arrangements and the horizontal transmission of ideas and practices.

Table 2: Typology of explanations for regional integration

		Independent	**Interdependent**
Vertical	Top-Down	Globalization Expected outcome: Partial convergence	Hegemonic coordination Expected outcome: Similarity (conditional on similar strategy of a hegemon)
	Bottom-Up	Rational design of international institutions Expected outcome: Similarity (conditioned by similar cooperation problems, similar culture, domestic regime type)	
Horizontal			Diffusion Expected outcome: Selective similarity

The next section thus proceeds in two steps for each subsection. First, for each theoretical approach I review the literature to specify the hypotheses for the conditions under which it becomes likely that we will be able to observe institutional similarity. I then compare this to the available evidence on ASEAN.

Independent-Top-Down: Globalization and Competitive Convergence

An important literature on the effects of globalization expects an increase of regionalization. Here, regionalization indicates the emergence of a meso-level governance structure as a viable level at which to reconcile conflicting forces: integrative market and technological pressures that are parts and parcels of globalization and integration, and the equally visible trends towards fission and fragmentation (Breslin et al. 2002; Hamilton-Hart 2003; Payne 2000; Pierre/ Peters 2000).[6] According to this literature, states within the same region face double pressures: They face economic and ideational pressures from above, driven by a dramatic increase in the density and depth of economic interdependence and technological progress which create the conditions for an increased diffusion of knowledge, technology and ideas. While they compete in increasingly internationalized markets making them to adapt to market pressures, the increased flow of ideas contributes to the growth and transnationalization of domestic civil society groups that increasingly pressurize their governments to either conform to international standards (e.g. human rights, labor rights) or resist market pressures threatening social security systems at home. These partially diverging international pressures stimulate regionalism as meso-level governance structures. If based on a commonality of culture, history, homogeneity of social systems and values and a convergence of political and security interests, regional organizations assume an important role: They generate regional solutions, facilitate regional standard-setting and regulation, and guarantee more enforcement and effective implementation (Hurrell 1995: 345-346).

This literature expects at least a partial convergence of institutions and policies in regional organizations. Since globalization provides competitive pressures on all states in the system, the variation in regional design can be located at a state level: The more similar states are with regards to culture and their domestic structure, the more likely is it that we will observe similarities in institutional design and policies. Regional organizations will always reflect the institutionalization of political demands by state governments to find solutions that satisfy both, the competitive pressures of partially globalized markets and the political demands of transnationalized domestic constituencies. There is, however, a great consensus that Southeast Asian states are dissimilar to European ones. They vary regarding their domestic regime type (authoritarian, democratic), their history and their religion. While this approach correctly predicts the direction of regional organization and its hybrid character, it is, however, under-determined; hence it does not predict specific regulations or institutions to deal with the rising pressures of globalization. And it does not specify the conditions under which we will see similarities in non-economic areas like governance or security, as we observe in the case of the emergence of the Helsinki norms in an Asian context.

---

6   This literature also strongly resonates with concepts of "regional governance" on a sub-state level which focuses on the steering capacities of territorial subsystems (see Fürst 2007; Hettne and Söderbaum 2000).

Interdependent-Top-Down: Vertical Coordination through the US or the EU

Vertical explanations discuss organizational similarity as a response of national policy makers to exogenous and often common pressures from various international sources on national political communities (Levi-Faur/Jordana 2005b: 25). From a Realist and Neo-Liberal point of view, regional organizations might be similar because they have been set up by the same hegemon "powerful enough to maintain the essential rules governing interstate relations, and willing to do so" (Keohane/Nye 1977: 44). For this to achieve, hegemons do not have to exclusively rely on coercion. They rely to a considerable degree on ideological power and the willingness of other states to consent (Keohane 1984: 34-38). In this line of argument, the ultimate goal of regional organizations to promote free trade among its members can be explained by the predominance of the US (and previously Great Britain) in the global economy (Ikenberry 1989; Katzenstein 2005; Krasner 1976). This includes the active promotion of regional organizations, historically most importantly by the US, more recently by the EU (Börzel/Risse 2009a; Grugel 2004; Kupchan 1998). This approach thus predicts similarity in institutions and policies if hegemons adopt the same strategy toward different regions. In the case of Asia, the empirical evidence does not support this assumption. As a number of authors have argued, the US adopted diverging strategies toward European and Asian integration, resulting in an emphasis on multilateralism in the case of Europe and bilateralism in the case of Asia (Beeson 2005; Green/ Bates 2009; Hemmer and Katzenstein 2002).

One of the most important analyses in this regard is Peter Katzenstein's A World of Regions: Europe and Asia in the American Imperium (2005). Katzenstein explains variations of regionalism, defined as "porous regional orders", in Europe and Asia. For Katzenstein, the empirical similarities between Europe and Asia basically boil down to a relative openness toward international trade. While the European Economic Community was set up as a common market with a common external tariff, the export orientation of ASEAN member states led to an "open regionalism". Both regional organizations, by being embedded in a global economy that was significantly shaped by the US, became "porous" regions. But this is as far as Katzenstein's explanation gets us. The formal design of regionalism is then significantly shaped by the "core states" Japan and Germany which anchored US policy in the region. Thus, if it comes to institutional similarity, Katzenstein sees two different types: "Europe illustrates with particular clarity the material, formal, and political aspects of regionalism; Asia, the imagined, informal, and economic ones" (Katzenstein 2005: 36; Kupchan 1998).

One could argue that the accumulation of similar decisions stems from deliberate EU efforts to promote itself as model of regional cooperation and institution building (Bicchi 2006; Börzel and Risse 2009b; Farrell 2005). Representatives of both regional organizations have been meeting formally in the framework of bilateral (organization-to-organization) meetings since the mid-1970s. Since 1996, members of both organizations meet in the Asia-Europe Meeting Process (ASEM), a dialogue forum convening at least every two years. ASEM has become the epitome of interregionalism (Gilson 2005; Hänggi et al. 2006). Even if the EU is not a hegemon as the United States are (Telò 2001), the fact that the EU is the target of exports of many regions outside of Europe provides it with potential influence over regional affairs. Moreover, the EU Commission has formulated its willingness to promote regional organizations and to replicate its own integration experience elsewhere. The key documents are COM (95)219 entitled "European Community Support for Regional Economic Integration Efforts Among Developing Countries", and COM (2003)399/4 entitled "A New Partnership with South East Asia", specifically targeting ASEAN. Within the framework of

the ASEAN-EU Program of Regional Integration Support (APRIS) and a Plan of Action signed in November 2007, the EU has offered financial support to ASEAN aiming particularly at strengthening the institutional capacity of the ASEAN Secretariat and generally fostering regional cooperation.[7] During the two project phases of APRIS (2003-2006; 2006-November 2009) the EU supported ASEAN in its development of programmatic cooperation and provided technical assistance concerning standard setting and procedures. Much of the input for ASEAN's Vientiane Program of Action of 2004 aiming to achieve an ASEAN Economic Community seems to have come through APRIS.[8]

Thus, a vertical coordination perspective might particularly explain ASEAN member states' recent increase of references to the EU and its determination to establish an ASEAN Community until 2015. It does not explain, however, why we find similar decisions before 1995. When the EU consciously started promoting itself as a model, Asian governments blocked these pressures. For example, it was in the 1990s that ASEAN distinctly distanced itself in its rhetoric from European integration, as becomes evident in the ASEAN Vision 2020 of 1997, where ASEAN speaks of a "concert of nations" and individual ASEAN members, like Singapore, actively promoted an alternative set of norms based on unique Asian values (Emmerson 1995; Kausikan 1994, 1997). To sum up, while explanations focusing on region-building through hegemonic power in Europe and Asia potentially explain similarities, the empirical applications come to the opposite conclusion: Given the strategies of hegemons, Asian regionalism constitutes a type of cooperation that is quite different from regional cooperation elsewhere.

Independent-Bottom-Up: The Rational Design of International Institutions

From the perspective of rational institutionalism in general and its more limited derivative program of the rational design of international institutions (RDII) (Koremenos et al. 2001), regional integration in Asia and in Europe might be similar because both organizations adapt rationally (and frequently) to similar structural contexts. International institutions have common causes – a functional demand for information, rules, and arbitration (Keohane 1984) – but vary as a function of the nature of cooperation problems. Coordination and collaboration problems require different institutional designs: Coordination problems elicit institutions that provide decision rules, whereas cooperation problems foster institutions that provide strong monitoring and enforcement mechanisms (Stein 2008). Similar decisions are then an outcome of adaptation, that is, an independent decision to similar structural situations. The research program of the rational design of international institutions adds sophistication to this approach, as it additionally conditions the design on the configuration of distribution problems, enforcement problems, the number of actors as well as asymmetries between them, and uncertainty (Koremenos et al. 2001).

A key study that can be linked to this approach is Walter Mattli's *The Logic of Regional Integration: Europe and Beyond* (1999). According to Mattli, regional organizations start with similar aims and goals and they develop a similar dynamic over their lifeime especially if two necessary and jointly sufficient conditions

---

7   See the description of the European Commission on ASEAN at URL: http://ec.europa.eu/external_relations/asean/index_en.htm, accessed on April 6, 2010.

8   The program details can be retrieved from APRIS' webpage at URL: http://www.aseansec.org/apris2/index.htm, last access April 06, 2010.

for further integration are met: Successful economic integration – and by extension a deepening and enlargement of the regional organization – is likely if there is a regional hegemon who initially supplies the rules for all members and enforces them unilaterally; moreover, integration is likely if on the demand side of regional integration members develop sufficient market complementarities that foster economic interdependencies. According to Mattli, these conditions are not given in ASEAN, explaining the organization's failed integration experience in comparison to other, more successful integration schemes (Mattli 1999).

On a more optimistic note, but observing a similar dynamic, Khong Yuen-Foong and Helen Nesadurai observe a substantial institutional evolution of ASEAN since the 1990s. Starting from a minimal institutional design in which member states were not prepared to delegate sovereignty to ASEAN, an institutional evolution, task and membership expansion has occurred with members having become more willing to submit their national interests to regional welfare. They illustrate these logics with regards to the ASEAN Free Trade Area (AFTA) and the ASEAN Regional Forum (ARF) established in 1994. Moreover, given ASEAN's new initiatives aiming at an ASEAN Economic Community, they see a significant departure from the "ASEAN Way" in this area (Khong/Nesadurai 2007).

Thus, while they differ in their ultimate evaluation of ASEAN, these authors converge on the position that once regional organizations have been established they are likely to develop in a similar direction, toward a gradual deepening and sectoral and territorial widening of their cooperation. Note here, that the institutional development is not specifically conditional on domestic institutional structures, emphasized by liberal approaches (Marks et al. 2008; Milner and Kubota 2005). Thus, this explanation particularly accounts for a parallel but independent development of regional organizations that we might suspect to operate in the parallel development of ASEAN and the EU as displayed in Table 1.

A rational-functionalist explanation for institutional similarity faces two shortcomings, however. The first one concerns the rationality of ASEAN's design. Most authors see a significant difference between ASEAN and the EU concerning both, its institutional formalization and subsequent achievements. Despite ASEAN's reputation as "one of the most successful regional organizations outside of Europe" (Henry 2007) its institutional design is regularly criticized as too weak to address the nature of cooperation problems that ASEAN faces in the region (Collins 2007; Ravenhill 2008). And its cooperation projects are usually evaluated as too ambitious given the willingness of its members and the state of integration in ASEAN, as becomes apparent in the assessment of the ASEAN Charter. Taken together, the implication of both of these observations is, as Kahler has noted, that the characteristics of Asia-Pacific institutions undermine a demand driven and rationalist explanation of institutions (Kahler 2000: 559). This becomes apparent in ASEAN's tendency to set up institutions that it subsequently does not utilize, such as the High Council or AIPO which remained unconnected to ASEAN's institutional structure until 2007. More generally, RDII has been criticized for being unable to evaluate the rationality of institutions independently of actors' preferences. Proponents of RDII assume rather than show that the chosen design reflects rational, i.e. efficient solutions to cooperation problems (Thompson 2010).[9]

---

9   As Keohane puts it, there should be a sound functional argument that provides good reasons to believe in a causal connection between the functions that an institution performs on the one hand and its existence on the other. Otherwise a rational explanation is prone to the post hoc ergo propter hoc fallacy (Keohane 1984: 81). Alex Thompson more generally makes the claim that RDII approaches usually assume a functional demand for specific institutions without demonstrating this empirically (Thompson 2010).

Second, as becomes apparent in most studies on ASEAN, this literature starts from the observation that there is a significant difference between ASEAN and the EU, but also European regional cooperation more generally. But as we have seen, ASEAN's institutional design was not as unique as many authors have contended, especially if evaluated in the larger context of European integration. EFTA and the Nordic Council also never developed the institutional machinery of the EU or its supranationalism. In sum, existing functional explanations provide a theoretical tool to explain institutional similarity, but in their empirical application to ASEAN they have failed to observe and then explain the phenomenon of similar institutional structures and policies.

The next section introduces diffusion approaches to explain similarities in regional designs and policies.

5.   Interdependent-Horizontal: Diffusion

Diffusion approaches in general try to explain the spatial spread of institutions, rules and practices over time. Diffusion is the process through which specific practices and institutions spread through specific social channels of communication. It is also a phenomenon characterized by interdependent decision-making in which the time of adoption matters (Katz et al. 1963): The adoption of specific policies or institutions increases the likelihood of adoption of these institutions by other actors (Dolowitz/Marsh 2000; Elkins/Simmons 2005; Meseguer 2009). Diffusion is a social view of international relations, assuming that actors observe each others' actions and decisions and act accordingly (Levi-Faur/Jordana 2005a).

Diffusion is not new to regional integration scholarship. Perhaps the oldest statement on the potential diffusion of regional integration is William P. Avery's contention that "integration methods, styles, ideas, devices, and such – particularly those of an innovative nature – have some impact and influence beyond the boundaries of the region within which they originate" (Avery 1973: 550). Regional integration schemes could be treated like innovations that diffuse under specific conditions. Avery was centrally concerned with specifying the conditions under which "lessons" of European integration diffused to other regions. He referred to this type of transfer as "extra-regional echoing". Using the example of the Carribean Free Trade Association (Carifta), he showed that Carifta borrowed heavily from the Andean Common Market and the Andean Common Market borrowed from the EEC. More recently, Shaun Breslin and Richard Higgott contend that timing and emulation explain the variation among regional institution-building between Europe and other regions. Region-builders "learn from the EU's experience," they "emulate" specific features of the EU, or, "deliberately avoid replicating them" (Breslin and Higgott 2000: 342). Thus, the approach that I am suggesting is not new, but it has rarely been theorized as diffusion.

That region-builders observe other regional organizations is well documented (Dosch 1997: 206-213). For example, Philippine Foreign Minister Inche Zaiton Ibrahim told journalists in 1962, that Southeast Asian governments looked at the European Common Market for lessons. They were "learning": "We can condense this all and can benefit from the experiences and mistakes" (as quoted in Dosch 1997: 208). The Malaysian Minister of Finance Tan Siew Sin indicated just four years later that he was "looking forward to the ultimate creation of a Southeast Asian Common Market comparable to the European Common Market" (as quoted in: Dosch 1997: 208). Thanat Khoman, the former Thai foreign minister reported in 1992 that "for many of us and for me in particular, our model has been and still is, the European Community, not

because I was trained there, but because it is the most suitable form for us living in this part of the world – in spite of our parallel economies which are quite different from the European ones" (Khoman 1992: xix).

The literature on diffusion offers a sophisticated analytical toolkit to study processes of diffusion. In general, two measures are adopted by this literature indicating diffusion: 1) The timing of adoptions of particular policies and institutions, amounting a clustering of decisions (Elkins/Simmons 2005; Meseguer 2009), and 2) the similarity of the policies or institutions to be compared. However, it is important to notice that diffusion approaches do not assume that these institutions or policies assume the same functions in new contexts: "Echoing does not necessarily involve functional equivalence, since that which is copied may serve different purposes or have different effects in different areas" (Avery 1973: 550f.). If decisions cluster in time and space, if there are clear references to policies or institutions that might serve as model, and if there is an institutional similarity, these are good indications for diffusion processes.

As outlined above and documented in Table 1, decisions by members of the EU and ASEAN cluster in time and space. The clustering that I observe is not cross-national (among different states as units of analysis) but cross-regional (between the EU and ASEAN) and cross-temporal: Over time, both institutions adopt similar policies and institutions.[10] In this context, it is important to note that – perhaps with the exception of the Singapore Summit in 1992 – all decisions taken by ASEAN member states occur after similar decisions have been made in Europe. They question is why and through which mechanisms these similarities emerge.

The literature on diffusion has developed a sophisticated set of causal mechanisms through which ideas, policies and institutions diffuse (Elkins/Simmons 2005; Meseguer 2005; Rogers 1983): States adopt similar policies about the same time because they learn from each other. In this case, they acquire important information on the effectiveness of a specific policy or institution that they use to their advantage. But learning can go wrong in numerous ways, because actors are only bounded rational and use several cognitive heuristics to process information (Tversky/Kahnemann 1982). Social networks, epistemic communities and international organizations not only constitute channels allowing for the quick transmittal of ideas and knowledge, they sometimes artificially create demands for policies or act as teachers of norms, militating against rational learning (Barnett/Finnemore 2005). And at other times actors adopt policies or institutions because they want to become more like their role models. A strong sociological literature argues that actors mimic others because this confers legitimacy (Meyer/Rowan 1977; Strang/Meyer 1993). Actors are less concerned about the efficiency of a policy innovation but celebrate its symbolic value of belonging to a community.

Most of the diffusion literature employs quantitative cross-national measures to empirically test specific diffusion mechanisms (Knill 2005; Meseguer 2005). My goal in this paper is primarily to show that diffusion between regional organizations takes place. Therefore, I will focus on a single adoption decision and show that this decision cannot be explained without taking horizontal influences into account.

---

10   I thank Tobias Lenz for pointing this out.

6.   The Charter of Europe and the ASEAN Charter

In November 2008, the ASEAN Charter came into effect. The 30-page long document symbolizes a landmark decision in ASEAN's forty-year long history. It lays out in detail a plan to establish an ASEAN Community by 2020 and presents ASEAN members full endorsement of a European Union-style regional organization, at least if we look at ASEAN's institutional set-up (see also EU Centre 2009). With the exception of an ASEAN court, members have now taken on board all EU institutions that the organization previously lacked or that had not been part of the decision-making procedure of ASEAN. For example, AIPO has been renamed into ASEAN Inter-Parliamentary Assembly and members have established a Committee of Permanent Representatives similar to the Committee of Permanent Representatives in the EU (Coreper).

The key question that needs to be answered is whether the ASEAN Charter can be explained independently of events in Europe. This is the more important as ASEAN representatives and policy-makers in public create the impression that the Charter was adopted out of a genuine functional demand for it (Koh et al. 2009). The Charter was necessary because of the level of economic integration that ASEAN has achieved over its decades of cooperation. Amitav Acharya, in his function as policy advisor, argues:

> *"[T]he most important considerations seem to be the deepening and legalization of ASEAN. Since the end of the Cold War, ASEAN has grown extensively. Its membership has expanded to include all 10 nations of Southeast Asia, fulfilling the original vision of its founding fathers to unite the region. New areas of cooperation have also been incorporated such as environmental and financial issues as well as counter-terrorism. But this broadening has taken place without the significant strengthening of ASEAN's institutions. Now is the time for ASEAN to change that"* (Acharya 2005: 2).

Fidel Ramos, the Philippine former President and member of the Eminent Persons Group drafting the Charter, equally argued: "Now that the ASEAN is moving beyond regional cooperation to integration, it needs a Charter to provide a juridical personality, create a mechanism for the redress of grievances, and a legal mandate to enforce agreements" (Manila Times 2006). For Singapore's Senior Minister Goh Chok Tong, ASEAN was faced with an existential choice posed by geostrategic changes: "Integrate further or vegetate." (The Straits Times 2006). The two magnetic fields India and China might pull ASEAN members into different directions Singapore's Prime Minister Lee invoked the same reasoning, adding urgency: "Time is of the essence, as our competitors are maintaining their pace and forging ahead". And for Surin Pitsuwan, ASEAN's current Secretary-General, the Charter constitutes an integration step, ultimately promoting ASEAN's autonomy in shaping its external environment. If it wanted to "remain in the driver's seat" of regional-community building, then ASEAN needs a "driver's license," and that was coming in the form of a charter. Indonesia's Foreign Minister Marty Natalegawa promotes the traditional ASEAN line: One function of the Charter lies in shielding ASEAN member states from outside interference by other states. Failure to take a common stance toward human rights would open an opportunity for regional powers to "settle the case" by "intervention" (Antara 2004; International Herald Tribune 2007).

However, such explanations seeking to explain the ASEAN Charter independently of Europe fail to account for the specific type of institution. It is not clear how the Charter increases member states' commitment, especially as ASEAN does not depart from its main decision-making principle, consensus; the Charter also confirms ASEAN's commitment to constitutive principles like the non-interference principle, the sovereignty of members and territorial integrity, potentially blocking the full implementation of the

Charter especially regarding democratic governance and human rights. And while one might concede that ASEAN's level of economic integration has risen, making some increased commitment and dispute settlement necessary, one might still ask whether the Charter is the right instrument to promote this goal. Given member states' reluctance to transfer sovereignty, it might have been sufficient to commit members to strengthen the secretariat's monitoring and sanctioning capabilities. European integration has proceeded without a charter for more than fifty years and an elaborated Charter eventually failed to pass a referendum in France and the Netherlands. So the question here is, why have members issued a Charter that references the European Union and creates higher expectations than ASEAN members can possibly meet? A functional logic does not explain why the functional demand that ASEAN representatives undoubtedly perceive is met in the form of the Charter that has clear references to the European Charter, like the single legal personality, an anthem or a flag.

Interdependent decision-making (diffusion) might help to shed some light on the question why the Charter was adopted. Process-tracing of the historical path leading to the Charter and the choice sequences suggest that the most likely explanation for the ASEAN Charter is that the European Charter provided a specific policy solution for ASEAN leading members to import from 'abroad'. This explanation suggests itself when looking at the timing of the Charter process in ASEAN and the specific content of the Charter. ASEAN also cross-references the EU in its internal documents. And specific scope conditions are present in the case of ASEAN making an adoption from abroad likely.

Timing: The idea of adopting the Charter surfaced in the context of, but after the start of debates on a European Charter. In December 2000, the Intergovernmental Conference (IGC) that had drafted the Charter of Fundamental Human Rights and concluded the Treaty of Nice adopted a "Declaration on the Future of the Union", expressing the need for more reflection on the Unions constitution. One year later, the European Council meeting in Laeken set out the parameters of this process of constitutional reflection and established a "Convention on the Future of Europe". That convention commenced its work in February 2002 and presented its draft "Treaty establishing a Constitution for Europe" to the European Council in July 2003. In autumn 2003, the IGC convened to deliberate on the Convention draft. The Treaty establishing a Constitution for Europe was officially signed on 29 October 2004. The date for entering into force was envisioned for 1 November 2006 (Dougan 2008: 618-624).

The idea for an ASEAN Charter surfaced four months after the IGC had taken up its work, in July 2002: Then, Todong Mulya Lubis, a respected Indonesian human rights lawyer, advocated the idea of an "ASEAN Charter of Human Rights" in an article in the Jakarta Post. He argued that ASEAN needed a regional human rights mechanism that would be ideally embedded in a Charter (Jakarta Post 2002). In October 2003, shortly after the IGC had started its deliberations, ASEAN's Senior Officials Meeting (SOM) announced that ASEAN would develop a Charter, issued as Bali Concord II (Malaysia General News 2003). Another six months later, Indonesia, chairing ASEAN at this time, suggested the formation of an ASEAN Charter of Rights and Obligations and an ASEAN Regional Commission on Human Rights "to create a solid community" and "prevent possible intervention by countries outside the organization" (Antara 2004). Then, the principal process of drafting the ASEAN Charter was taken in two steps: At the ASEAN summit of 2005, members established an Eminent Persons Group (EPG) to consult widely and to eventually recommend "bold and visionary" ideas for the Charter. Similar to the Convention, which assembled members of states, the European Parliament, national parliaments and the Commission, the EPG ensured the integration of important interests in the drafting process. The EPG consulted with former ASEAN Secretary-Generals,

business leaders, scholars and researchers as well as representatives of civil society. But the EPG also undertook a study trip to Brussels to learn from the European Union's "success and failures" (Koh et al. 2007). Since the Constitution was now off the table in Europe, having failed to be accepted in France and the Netherlands, European policy makers willingly passed on their experience to an ASEAN expert community. A key lesson ASEAN policy makers could learn was to base their cooperation "on agreements or treaties that are easy to understand and are transparent." (Holm 2006) Klavs A. Holm, a Danish government representative claimed that the Charter had not addressed key concerns over giving the EU too much power. Consequently, ASEAN members should clearly describe the distribution of power between the union and member states (Holm 2006). The ASEAN Charter was eventually signed on 1 November 2007 and entered into force one year later after the ratification by all ASEAN member states.

Similarities and cross-referencing: Despite the obvious parallels between the two Charter processes, no single official statement by ASEAN representatives indicates that the EU Charter served as model for the ASEAN Charter. ASEAN will have a legal personality, the structure is – as noted at the beginning – "EU-like" and ASEAN will have identity promoting symbols, like an anthem, a flag, a common motto, just as the European Union originally planned. However, the Secretariat cross-references the EU Charter in its documents, pointing out the areas where ASEAN has "outdone" the EU Charter, as in the case of the working language and an ASEAN identity (ASEAN 2007).

The key question is why ASEAN members adopted a Charter modeled after the European one. The presence of APRIS experts in the ASEAN Secretariat might account for some similarity, but not for ASEAN member states' principle willingness to adopt external advice, especially as the Charter's human rights provisions potentially signal a break with the "ASEAN Way". Two scope conditions prevalent in the diffusion literature explain the adoption: Policy crisis and uncertainty about ASEAN's future and the perceived similarity between ASEAN and EU member states.

Policy crisis and uncertainty about ASEAN's future: When the first idea of a Charter came up, ASEAN was in its greatest crisis of legitimacy since its establishment. During the mid-1990s, ASEAN had successfully established itself as a respectable regional organization of its own kind. The unique economic success of its member states over the previous decades had made members self-confident. This allowed them to emerge as the only serious challenger of Western states' hegemony especially if it comes to the definition of global norms like human rights and democratic values. Representatives of members of ASEAN figured prominently in the so-called "Asian Values debate" of the early 1990s, in which Asian states presented themselves as successful models of economic development (the Asian "economic miracle") and nation-building (Chan 1997; Kausikan 1994; Ng 1997). It was during this time, that ASEAN also distanced itself rhetorically from the European integration experience as a model (Dosch 1997). During the Kuala Lumpur summit in December 1997, member states for the first time spoke of a "Concert of Southeast Asian Nations" in their ASEAN Vision 2020, suggesting that ASEAN will develop into a loose intergovernmental conference for the management of regional affairs.

However, this position was deeply challenged during the Asian financial crisis of 1997-1999 and the difficulties for ASEAN members to deal with the domestic problems in the new member states Myanmar and Cambodia. The economic crisis not only seriously challenged Asia's development model, but also ASEAN's ability to provide regional order. It was widely feared that the withering of Asian states' main basis of political legitimacy would "fuel nationalism, undermine regional co-operation, and foster confrontation over long-standing territorial and other disputes" (Acharya 1999b).

The Asian financial crisis destroyed the dream of "a strong, prosperous, harmonious and internationally oriented regional grouping" (Hill 1999: 1) that seemed to be within reach in 1996. In the public perception, ASEAN proved unable to unify members behind a collective approach to the crisis (Higgott 1998; Rüland 2000; Soesatro 1999). Its constitutive principles came under heavy attack, most importantly the non-interference principle and the consensus principle (Haacke 2003). ASEAN's inability to provide leadership during the East Timor crisis in 1999 and to censure Myanmar for its human rights violations also impacted negatively on ASEAN's public perception (Cotton 2001). In short, ASEAN members faced a severe crisis, making them open to search for effective solutions to it.

Identification with Europe: A number of perceived similarities between the EU and ASEAN members made the Charter a fit for ASEAN members: In terms of foreign policy, the security predicament of the EU and ASEAN did not appear that dissimilar: Like ASEAN, the EU also faced its greatest foreign policy crisis in 1999, when it was unable to react to the humanitarian catastrophe in Kosovo. Like ASEAN in the case of East Timor, the European Union was ill-equipped to deal with a foreign policy challenge of this magnitude, given that the area of foreign and security policy was the least integrated on a European level. Thus, it fell on NATO and – most importantly – the US, not the EU, to organize a humanitarian intervention in Kosovo in 1999. If the Charter was a reaction to these policy failures, then there was a clear rational for ASEAN members to emulate that policy, if it failed in similar cases, East Timor and Myanmar. In terms of economic policy, observers noted similarities between the EU and ASEAN: The similar disparity in the economies of its constitutive members, which would impede more integration (Kate/Adam 2009).

As we see here, the most likely explanations for the why, when and how of the ASEAN Charter is a process of diffusion through which the idea of a European Charter was transmitted to Southeast Asia. What remains to be specified in future work is the exact causal mechanism through which the Charter idea diffused.

## 7.	Conclusion: Implications for the Study of Regionalism and Diffusion

This paper has argued that diffusion processes between regional organizations deserve a systematic place in the field of regional integration studies. The fact that a regional organization like ASEAN that has been heralded as a success model of its own kind seems to have been systematically influenced by the European integration experience comes to a surprise. I have argued that specific institutions and policies that ASEAN has adopted can only be explained by taking horizontal processes of diffusion into account.

Diffusion approaches and studies on policy transfers offer a diverse analytical toolkit for explaining similarities in policies and institutions that regional integration studies can utilize. The European integration process has definitely served as model for regional integration outside of Europe. But we know little about what exactly has diffused, through which channels and causal mechanisms. This line of research offers a productive transformation of the standard question that has engaged studies on comparative regionalism for a long time: To what extent can the European Union serve as a model for regional integration outside of Europe? The integration of diffusion and policy transfer approaches offers a theoretical framework to *explain* the de facto transfer of policies and institutions and to explain similarities and differences between regional organizations. I do not claim that diffusion is the only explanation for similarities and differences between regional organizations. I suggest that an increasing amount of institutional and policy innovations in regional organizations are likely to be affected by processes of diffusion.

A second useful line of inquiry is the question whether distinct diffusion mechanisms, like mimicking or learning are systematically associated with policy success and failure. Many regional organizations outside of Europe are considered "failures" in terms of their inability to implement their own stated goals. Diffusion and its associated mechanisms might help us to explain these occurrences. In sum, if the observation is in principle correct that regional integration schemes diffuse, then this suggests that much can be gained by taking again a closer look at regional integration processes, but this time by investigating in interdependencies between these organizations.

Literature

Acharya, Amitav 1999a: Culture, Security and Multilateralism: The ‚ASEAN Way' and Regional Order, in: Krause, Keith (ed.): Culture and Security. Multilateralism, Arms Control and Security Building, London: Frank Cass.

Acharya, Amitav 1999b: Realism, Institutionalism, and the Asian Economic Crisis, in:Contemporary Southeast Asia 21.

Acharya, Amitav 2009: Whose Ideas Matter? Agency and Power in Asian Regionalism, Ithaca : Cornell University Press.

Acharya, Amitav 2005: Issues for an ASEAN Charter, RSIS Commentaries, No. 71, 19 October 2005, URL: http://www.rsis.edu.sg/publications/Perspective/IDSS712005.pdf; cited 07 April 2010.

Aggarwal, Vinod K. 2005: Beyond Network Power? The Dynamics of Formal Economic Integration in Northeast Asia, in: The Pacific Review 18/2, 189-216.Antara 2004: RI Proposing Formation of ASEAN Rights Charter, Commission. Antara (Indonesian News Agency), 1 March 2004, URL: http://www.lexisnexis. com/de/business/results/docview/docview.do?docLinkInd=true&risb=21_T 10026894397&format=GNBFULL&sort=BOOLEAN&startDocNo=1&resultsUrlKey=29_ T10026936600&cisb=22_T10026894399&treeMax=true&treeWidth=0&csi=227171&docNo=13; cited 5 September 2010.

ASEAN 2007: Media Release: Leaders Sign ASEAN Charter, 20 November 2007, Singapore, http://www. aseansec.org/21085.htm; 08 April 2010.

Avery, W. P. 1973: Extra-Regional Transfer of Integrative Behavior, in: International Organization 27/4, 549-556.

Ba, Alice. 2009: [Re]Negotiating East and Southeast Asia. Region, Regionalism, and the Association of Southeast Asian Nations, Stanford: Stanford University Press.

Barnett, Michael/Finnemore, Martha 2005: Rules for the World. International Organization in Global Politics, Ithaca and London: Cornell University Press.

Beeson, Mark 2005: Rethinking Regionalism: Europe and East Asia in Comparative Historical Perspective, in: Journal of European Public Policy 12/6, 969-985.

Bicchi, Federica 2006: ‚Our Size Fits All': Normative Power, Europe and the Mediterranean. Journal of European Public Policy 13/2, 286-303.

Börzel, Tanja A./Risse, Thomas 2009a: Diffusing (Inter-) Regionalism. The EU as a Model of Regional Integration, in: KFG Working Paper No. 7, September 2009, Freie Universität Berlin.

Börzel, Tanja A./Risse, Thomas 2009b: The Rise of (Inter-)Regionalism: The EU as a Model of Regional Integration, paper presented at the Annual Convention of the American Political Science Association, 3-6 September 2009 Toronto, Canada.

*Breslin, Shaun/Higgot, Richard 2*000: Studying Regions: Learning from the Old, Constructing the New, in: New Political Economy 5/3, 333-352.

Breslin, Shaun/Hughes,Christopher R./Philipps, Nicola/Rosamond, Ben (eds.) 2002: New Regionalisms in the Global Political Economy, New York.

Caballero-Anthony, Mely 2005: Regional Security in Southeast Asia, Singapore: Institute of Southeast Asian Studies.

Chan, Joseph 1997: Hong Kong, Singapore, And „Asian Values": An Alternative View, in: Journal of Democracy 8/2,35-48.

Collins, Alan 2007: Forming a Security Community: Lessons from ASEAN, in: International Relations of the Asia-Pacific 7/2007, 203-225.

Cotton, James 2001: Against the Grain: The East Timor Intervention, in: Survival 43/1, 127-142.

Dolowitz, D. P./Marsh, D. 2000: Learning from Abroad: The Role of Policy Transfer in Contemporary Policy-Making. Governance - An International Journal of Policy and Administration 13/11, 5-24.

Dosch, Jörn 1997: Die ASEAN: Bilanz Eines Erfolges. Akteure, Interessenlagen, Kooperationsbeziehungen, Hamburg: Abera Verlag.

Dougan, Michael 2008: The Treaty of Lisbon 2007: Winning Minds, Not Hearts, in: Common Market Law Review 45,617-703.

Elkins, Zachary/Simmons, Beth 2005: On Waves, Clusters, and Diffusion: A Conceptual Framework. Annals of the American Academy of Political and Social Science 598,33-51.

Emmerson, Donald K. 1995: Singapore and the „Asian Values" Debate, in: Journal of Democracy 6/4, 95-105.

EU Centre 2009: Conference on Networked Regionalism versus Institutional Regionalism: Managing Complexities in Regional Cooperation and Global Governance, Report of a Conference held in 6-8 December 2009. Singapore, URL: http:// www.eucentre.sg/articles/193/downloads/ RegionalismConf-Dec2009.pdf; cited 15 September 2010.

EUobserver 2009: Southeast Asian countries plan EU-style union by 2015, 02 March 2009, in: http:// euobserver.com/9/27699, cited 04 April 2010.

Farrell, Mary 2005: EU External Relations: Exporting the EU Model of Governance?, in: European Foreign Affairs Review 10,451-462.

Fawcett, Louise 2004: Exploring Regional Domains: A Comparative History of Regionalism, in: International Affairs 80/3, 429-446.

Fürst, Dietrich 2007: Regional Governance, in:Benz, Arthur/Lütz, Susanne/Simonis, Georg (eds.): Handbuch Governance, Wiesbaden: VS Verlag für Sozialwissenschaften.

Gilson, Julie 2005: New Interregionalism? The Eu and East Asia, in: Journal of European Integration 27/33, 307-326.

Goldsmith, Benjamin 2007: A Liberal Peace in Asia?, in: Journal of Peace Research 44/1,5-27.

Green, Michael J./Bates,Gill (eds.) 2009: Asia's New Multilaterlism. Cooperation, Competition, and the Search for Community, New York: Columbia University Press.

Grugel, Jean B. 2004: New Regionalism and Modes of Governance: Comparing US and EU Strategies in Latin America, in: European Journal of International Relations 10/4, 603-626.

Haacke, Jürgen 2003: ASEAN's Diplomatic and Security Culture: A Constructivist Assessment, in International Relations of the Asia-Pacific 3/1, 57-87.

Haefs, Hanswilhelm/von Ziegler, Heinrich 1972: Politische, Militärische, Wirtschaftliche Zusammenschlüsse Und Pakte Der Welt, 10 ed., Bonn: Verlag für Zeitarchive.

Haftel, Yoram 2007: Designing for Peace: Regional Integration Arrangements, Institutional Variation, and Militarized Interstate Dispute, in: International Organization 61/1, 217-237.

Hamilton-Hart, Natasha 2003: Asia's New Regionalism: Government Capacity and Cooperation in the Western Pacific, in: Review of International Political Economy 10/2, 222-245.

Hänggi, Heiner/Roloff, Ralf/Rüland, Jürgen (eds.) 2006: Interregionalism and International Relations, London, New York: Routledge.

Hemmer, Christopher/Katzenstein, Peter 2002: Why Is There No Nato in Asia? Collective Identity, Regionalism, and the Origins of Multilateralism, in: International Organization 56/3, 575-607.

Henry, Laurence 2007: The ASEAN Way and Community Integration: Two Different Models of Regionalism, in: European Law Journal 13/6, 857-879.

Hettne, Björn/Söderbaum, Frederick 2000: Theorizing the Rise of Regionness, in: New Political Economy 5/3, 457-472.

Higgott, Richard 1998: The Asian Economic Crisis: A Study in the Politics of Resentment, in: New Political Economy 3/3, 333-356.

Hill, Hal 1999: An Overview of the Issues, in: Arndt, H.W./Hill, Hal (eds.): Southeast Asia's Economic Crisis. Origins, Lessons, and the Way Forward, Singapore: Institute of Southeast Asian Studies.

Holm, Klavs A. 2006: EU holds lessons for ASEAN integration, in: The Straits Times, 20 January 2006.

Hurrell, Andrew 1995: Explaining the Resurgence of Regionalism in World Politics, in: Review of International Studies 21/4, 331-358.

Hyde-Price, Adrian 2006: 'Normative' Power Europe: A Realist Critique, in: Journal of European Public Policy 13:2, 217-234.

Ikenberry, G. John 1989: Rethinking the Origins of American Hegemony, in:Political Science Quarterly 104/3, 375-400.

International Herald Tribune 2007: ASEAN pursues EU-style regional integration, 13 January 2007.

Jakarta Post 2002: Urgent, a regional human rights mechanism, 05 July 2002.

Jetschke, Anja 2007: Entkopplung von Kooperationsrhetorik und -praxis in internationalen Institutionen. Das Beispiel der ASEAN und des ARF, in: Deutsche Vereinigung für Politische Wissenschaft (DVPW), 2. Offene Sektionstagung der Sektion Internationale Beziehungen der DVPW, 13.-14. Juli 2007, Darmstadt, Germany.

Jetschke, Anja 2009: Institutionalizing ASEAN: Celebrating Europe through Network Governance, in: Cambridge Review of International Affairs 22/3, 407-426.

Jetschke, Anja/Rüland, Jürgen 2009: Decoupling Rhetoric and Practice: The Cultural Limits of Asean Cooperation, in: The Pacific Review 22/2, 179-202.

Johnston, Alastair I. 1999: The Myth of the ASEAN Way? Explaining the Evolution of the ASEAN Regional Forum, in: Haftendorn,Helga/Keohane, Robert/Wallander, Celeste (eds.): Imperfect Unions. Security Institutions over Time and Space, Oxford: Oxford University Press.

Jorgensen-Dahl, Arnfinn 1982: Regional Organization and Order in South-East Asia, London: MacMillan Press.

Kahler, Miles 2000: Legalization as Strategy: The Asia-Pacific Case, in: International Organization 54/3, 549-571.

Kate, Daniel Ten/Adam, Shamim 2009: ASEAN, Armed With New Charter, Remains Far From EU Dream, Bloomberg.com, 1 March, URL: http://www.bloomberg.com/apps/news?pid= newsarchive&sid=aHgEFYFhvQfg; cited 05 September 2010.

Katsumata, Hiro 2010 (forthcoming): Mimetic Adoption and Norm Diffusion: 'Western' Security Cooperation in Southeast Asia?, in: Review of International Studies.

Katz, Elihu/Levin, Martin L./Hamilton, Herbert 1963: Traditions of Research on the Diffusion of Innovation, in: American Sociological Review 28/2, 237-252.

Katzenstein, Peter 2005: A World of Regions. Asia and Europe in the American Imperium, Ithaca and London: Cornell University Press.

Kausikan, Bilahari 1994: Asia's Different Standard, Foreign Policy 92/Fall, 24-41.

Kausikan, Bilahari 1997: Hong Kong, Singapore, And „Asian Values": Governance That Works, in: Journal of Democracy 8/2, 24-34.

Keohane, Robert 1984: After Hegemony. Cooperation and Discord in the World Political Economy, Princeton: Princeton University Press.

Keohane, Robert/Nye, Joseph S. 1977: Power and Interdependence, New York.

Khoman, Thanat 1992: ASEAN: Conception and Evolution, in The ASEAN Reader, edited by Sandhu, K.S./ Siddique, Sharon/ Jeshurun, Chandran/Rajah, Ananda/Tan, Joseph L.H./Thambipillai, Pushpa (eds.): The ASEAN Reader, Singapore: Institute of Southeast Asian Studies.

Khong, Yuen Foong/Nesadurai, Helen 2007: Hanging Together, Institutional Design and Cooperation in Southeast Asia: Afta and the Arf, in Acharya, Amitav/Johnston, Alastair Iain (eds.): Crafting Cooperation: Regional International Institutions in Comparative Perspective, Cambridge: Cambridge University Press.

Kivimäki, Timo Antero 2001: The Long Peace of ASEAN, in: Journal of Peace Research 38/1, 5-25.

Knill, Christoph 2005: Introduction: Cross-National Policy Convergence: Concepts, Approaches and Explanatory Factors, in: Journal of European Public Policy 12/5, 764-774.

Koh, Tommy/Manalo, Rosario/Woon, Walter (eds.) 2009: The Making of the ASEAN Charter, Singapore: World Scientific Publishing.

Koh, Tommy/Woon, Walter/Tan, Andrew/Sze-Wei, Chan 2007: Charter makes ASEAN stronger, more united and effective, in: The Straits Times, 08 August 2007. http://www.spp.nus.edu.sg/ips/docs/pub/pa_tk_ST_Charter%20makes%20ASEAN%20stronger%20more%20united%20and%20effective_080807.pdf; last accessed 2 July 2010.

Koremenos, Barbara/Lipson, Charles/Snidal, Duncan 2001: The Rational Design of International Institutions, in: International Organization 55/4, 761-799.

Krasner, Stephen D. 1976: State Power and the Structure of International Trade, in: World Politics 28/3, 317-347.

Kupchan, Charles A. 1998: After Pax Americana: Benign Power, Regional Integration, and the Sources of a Stable Multipolarity, in: International Security 23/2, 40-79.

Levi-Faur, David 2005: The Global Diffusion of Regulatory Capitalism, in: Annals of the American Academy of Political and Social Science 598, 12-32.

Levi-Faur, David/Jordana, Jacint 2005a: The Diffusion of Regulatory Capitalism in Latin America: Sectoral and National Channels in the Making of a New Order, in: Annals of the American Academy of Social and Political Science 598 (March), 102-119.

Levi-Faur, David/ Jordana, Jacint (eds.) 2005b: The Rise of Regulatory Capitalism: The Global Diffusion of a New Order, Vol. 598, The Annals of the American Academy of Social and Political Science. Thousand Oaks: SAGE Publications.

Malaysia General News 2003: ASEAN leaders seal Charter at Bali Summit, 03 October 2003.

Manila Times 2006: FVR meets eminent persons in Thailand, 13 February 2006.

Manners, Ian 2008: The Normative Ethics of the European Union, in: International Affairs 84/1, 45-60.

Marks, Gary/Hoghe, Liesbet/Schakel, Arjan H. 2008: Patterns of Regional Authority, in: Regional & Federal Studies 18/2, 167 - 181.

Mattli, Walter 1999: The Logic of Regional Integration: Europe and Beyond, New York: Cambridge University Press.

Meseguer, Covadonga 2005: Policy Learning, Policy Diffusion, and the Making of a New Order, in Levi-Faur, David/Jordana, Jacint (eds.): The Rise of Regulatory Capitalism: The Global Diffusion of a New Order, Thousand Oaks: SAGE Publications.

Meseguer, Covadonga 2009: Learning, Policy Making, and Market Reforms, Cambridge: Cambridge University Press.

Meyer, John W./Rowan, Brian 1977: Institutionalized Organizations. Formal Structure as Myth and Ceremony, in: American Journal of Sociology 83, 340-363.

Milner, Helen V./Kubato, Keiko 2005: Why the Move to Free Trade? Democracy and Trade Policy in the Developing Countries, in: International Organization 59/1, 107-143.

Narine, Shaun 2009: ASEAN in the Twenty-First Century: A Sceptical Review, in: Cambridge Review of International Affairs 22/3, 369-386.

Ng, Margaret 1997: Hong Kong, Singapore, And „Asian Values": Why Asia Needs Democracy, in: Journal of Democracy 8/2, 10-23.

Payne, Anthony 2000: Globalization and Modes of Regionalist Governance, in: Pierre, Jon (ed.): Debating Governance. Authority, Steering, and Democracy, Oxford: Oxford University Press.

Pedersen, Thomas 1994: European Union and the Efta Countries. Enlargement and Integration, London: Pinter.

Pierre, Jon/Peters, Guy B. 2000: Governance, Politics and the State, New York: St. Martin's Press.

Ravenhill, John 2008: Fighting Irrelevance: An Economic Community ‚with ASEAN Characteristics', in: The Pacific Review 21/4, 469-506.

Rogers, Everett 1983: Diffusion of Innovations, 3rd edn, New York: Free Press.

Rüland, Jürgen 2000: ASEAN and the Asian Crisis: Theoretical Implications and Practical Consequences for Southeast Asian Regionalism, in: The Pacific Review 13/3, 421-451.

Sbragia, Alberta 2008: Review Article: Comparative Regionalism: What Might It Be?, in: Journal of Common Market Studies 46/1, 29-49.

Severino, Rodolfo 2006: Southeast Asia in Search on an ASEAN Community, Singapore: Institute of Southeast Asian Studies.

Soesatro, Hadi 1999: ASEAN During the Crisis, in: Arndt, H.W./Hill, Hal (eds.): Southeast Asia's Economic Crisis. Origins, Lessons, and the Way Forward, Singapore: Institute of Southeast Asian Studies.

Solingen, Etel 2005: East Asian Regional Institutions: Characteristics, Sources, Distinctiveness, in: Pempel, T.J. (ed.): Remapping East Asia. The Construction of a Region, Ithaca, London: Cornell University Press.

Stein, Arthur A. 2008: Neoliberal Institutionalism, in; Reus-Smit, Christian/Snidal, Duncan (eds.): The Oxford Handbook of International Relations, Oxford: Oxford University Press.

Strang, David/Meyer, John D. 1993: Institutional Conditions for Diffusion, in: Theory and Society 22, 487-511.

Telò, Mario 2001: European Union and New Regionalism, Regional Actors and Global Governance in a Post-Hegemonic Era, Aldershot u.a.: Ashgate.

The Straits Times 2007: Integrate more or vegetate, SM Goh advises ASEAN, 7 February 2006.

Thompson, Alexander 2010: Rational Design in Motion: Uncertainty and Flexibility in the Global Climate Regime, in: European Journal of International Relations 16/2, 269-296.

Tversky, Amos/Kahnemann, Daniel 1982: Judgment under Uncertainty: Heuristics and Biases, in: Kahnemann, Daniel/Slovic, Paul/Tversky, Amos (eds.): Judgment under Uncertatinty: Heuristics and Biases,Cambridge: Cambridge University Press.

Wah, Chin Kin 1992: The Institutional Structure, in Sandhu, K.S./Siddique, Sharon/Jeshurun, Chandran/Rajah, Ananda/Tan, Joseph L.H./Thambipillai, Pushpa (eds.): The ASEAN Reader, Singapore: Institute of Southeast Asian Studies.

Wah, Chin Kin 1995: ASEAN: Consolidation and Institutional Change, in: The Pacific Review 8/3, 424-39.

The Kolleg-Forschergruppe - Encouraging Academic Exchange and Intensive Research

The Kolleg-Forschergruppe (KFG) is a new funding programme launched by the German Research Foundation in 2008. It is a centrepiece of the KFG to provide a scientifically stimulating environment in which innovative research topics can be dealt with by discourse and debate within a small group of senior and junior researchers.

The Kolleg-Forschergruppe „The Transformative Power of Europe" brings together research on European affairs in the Berlin-Brandenburg region and institutionalizes the cooperation with other universities and research institutions. It examines the role of the EU as promoter and recipient of ideas, analyzing the mechanisms and effects of internal and external diffusion processes in three research areas:

• Identity and the Public Sphere

• Compliance, Conditionality and Beyond

• Comparative Regionalism and Europe's External Relations