

**An Evaluation of ASEAN's Progress in  
Regional Community Building:  
Implications of Thailand's Bilateral  
Relations and the Extent of Civil Society  
Participation in Regionalism**

**PhD in Politics and International Relations  
Royal Holloway University of London**

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## Declaration of Authorship

I, Yajai Bunnag, hereby declare that this thesis and the work presented in it is entirely my own. Where I have consulted the work of others, this is always clearly stated.

Signed:\_\_\_\_\_

Date:\_\_\_\_\_

## Acknowledgements

I would like to thank the Royal Thai Government for providing me with a scholarship for postgraduate study, which enabled me to undertake a PhD at Royal Holloway. It has been a long and challenging journey, which I am fortunate enough to complete, thanks to all the help, encouragement, and inspiration provided by many people. First, I am most grateful to my supervisor, Dr. Evelyn Goh, who has given me so much of her time and insight into Southeast Asian affairs and academic research. Moreover, her strong sense of determination and abundant energy has also been a source of inspiration to continue doing research, and to produce the best thesis that I possibly can. I would also like to acknowledge the lecturers from Royal Holloway's Department of Politics and International Relations as a whole, who have always been willing to give recommendations on reading material, experts on various fields who I could consult, and tips on academic writing. My colleagues in the department have similarly been supportive in sharing their thoughts and comments, and in making our PhD computer room a very welcoming place of warmth, academic discussions, and laughter. Thanks also go to my wonderful flatmates over the years at Royal Holloway, as well as my hall mates at College Hall in the final year of PhD: all have provided a constant source of encouragement and entertainment during the ups and downs of PhD life, making it all the more tolerable and enjoyable. Special thanks goes to Ratanasiri Chotvitayakul for her motivational cards and songs, which always made me smile and kept me upbeat.

Outside of Royal Holloway, I would like to thank Dr. Thitinan Pongsudhirak from Chulalongkorn University, who supervised me for part of my fieldwork, and who has been very encouraging throughout the whole PhD journey. I would also like to thank the staff at the Institute of Security and International Studies (ISIS), Chulalongkorn University, for their warmth and friendship during my fieldwork. Many thanks also go to all the interviewees, who have been very generous in sharing their experiences in ASEAN, and their views on the challenges and future of ASEAN regionalism. They include interviewees from the Foreign Ministry of Thailand and Singapore, as well as academia and civil society. All have been most helpful in providing a comprehensive view of ASEAN regionalism, both from a theoretical perspective, and from practical experience on the ground. Much thanks and appreciation also go to the staff at the Royal Thai Embassy in London and Singapore, who have motivated me by their interest in my research, and who have been so kind to provide me with facilities whenever necessary.

Last but not least, I would like to thank my parents for always believing in me and for cheering me on throughout the whole PhD journey. Their love and support saw me through the difficult periods, while their interest in what I was doing, and their look-out for relevant events and material, inspired me to be constantly updated on the state of the art, and to likewise be alert for the latest news. This PhD thesis is dedicated to my parents Por Tej and Mere Tim, who made the journey all the more worthwhile and meaningful.

## Abstract

This thesis seeks to evaluate the progress of regional community building in Southeast Asia, which has been undertaken by the Association of Southeast Asians (ASEAN). The thesis analyses the extent to which there has been a shift from policies and processes associated with “old regionalism” (state-security-economic centred regionalism) towards those which are associated with “new regionalism” and a regional community (the widening of regionalism to non-state actors, and expansion of regional cooperation into new areas, and regional solidarity). The first half of the thesis demonstrates the persistence of “old regionalism,” based on a tendency to differentiate others as an external security threat in Thailand’s bilateral relations. This tendency is driven by a deeply embedded historical legacy of differentiation, which is pursued by state actors for domestic political interests, as well as on-going bilateral disputes, and a militarised border. The second half of the thesis tests the significance of “new regionalism,” based on three case studies on civil society participation in regional community building. These case studies demonstrate how “new regionalism” is significant in form, rather than in substance, and how progress in community building is mainly driven by the more democratic ASEAN member states. Visible progress in community building includes the emergence of ASEAN-CSO meetings, an ASEAN Intergovernmental Commission on Human Rights (AICHR), and a transnational civil society network (TCSN), which is increasing society’s regional awareness and society’s participation in regionalism. However, substantive progress is lacking, due to the region’s political diversity and the prioritization of regional unity over the realization of a people-oriented ASEAN Community. Thus, ASEAN community building is empty in substance, due to the continuation of politically motivated differentiation and border insecurity, symbolic meetings between states and CSOs, a powerless regional human rights body, and the remaining gap between regional declarations and policy implementation.

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## Chapter One: Introduction

This thesis seeks to evaluate the progress of regional community building in Southeast Asia, which has been undertaken by the Association of Southeast Asian Nations (ASEAN). ASEAN was founded in 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand. It emerged during the Cold War, at a time when all of these countries were driven by geopolitical and security concerns to engage in informal, limited regional cooperation. However, the initial, limited regional cooperation in economic development soon expanded to include regional dialogue and the promotion of regional cooperation in areas such as social welfare, culture and information, as well as the environment.<sup>1</sup> This expansion reflects a growing regional awareness and regional consciousness among state actors, as well as a developing habit of regional dialogue and cooperation. Moreover, expanded regional cooperation under the ASEAN framework also reflects efforts to maintain ASEAN's relevance and survival. This was especially the case towards the end of the Cold War, and in the post-Cold War period, when 1) ASEAN's membership had expanded to include all Southeast Asian nations, including Brunei Darussalam, and former adversaries from communist Indochina; and 2) there was a proliferation of new security threats, such as the rise of China and transnational disease. Both these developments stimulated the need to consolidate ASEAN. In the past decade, two of the most recent efforts to consolidate ASEAN include the Declaration to establish an ASEAN Community, or the Declaration on ASEAN Concord II (Bali Concord II) in 2003, and the Kuala Lumpur Declaration to draft an ASEAN Charter in 2005. The dramatic difference between these Declarations and the initial aims behind ASEAN's establishment, together with the extent to which these Declarations have

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<sup>1</sup> ASEAN Secretariat, "Meeting of ASEAN Ministers Responsible for Social Welfare," Jakarta, 18-19 July 1977; ASEAN Secretariat, "Agreement for the Promotion of Cooperation in Mass Media and Cultural Activities," Cameron Highlands, 17 December 1969; ASEAN Secretariat, "Manila Declaration on the ASEAN Environment," Manila, 30 April 1981.

and can be implemented, and the obstacles in doing so, constitute the overarching puzzle that motivates this thesis.

The ASEAN Community, as envisioned by the related ASEAN Declarations, Plans of Action and Community Blueprints, is a long way from ASEAN member states' security and economic based incentives to establish , what was initially “a loose regional association.”<sup>2</sup> In the ASEAN Declaration (Bangkok Declaration), the founding document of ASEAN, ASEAN member states declared their aim to maintain regional stability and to ensure peaceful national development free from external interference.<sup>3</sup> Almost forty years later, in the Declaration on ASEAN Concord II (Bali Concord II) in 2003, they declared that an ASEAN Community shall be established, and that it shall consist of three pillars: an ASEAN Security Community (ASC), later renamed the ASEAN Political Security Community, an ASEAN Economic Community (AEC) and an ASEAN Socio-Cultural Community (ASCC). However, this envisaged ASEAN Community differed from the ASEAN in reality in many ways. For example, the ASEAN Security Community was envisaged to include a “democratic and harmonious environment” and to increase ASEAN's security through conflict prevention and conflict resolution.<sup>4</sup> In reality, the ASEAN region is still confronted with challenges to democratization (e.g. mob protests in Thailand in May 2010), as well as intra-regional conflicts, such as the Thai-Cambodian conflict over Preah Vihear Temple. Other differences between the envisaged ASEAN Community and the actual ASEAN are evident in plans for the ASEAN Socio-Cultural Community, which is meant to “seek the active involvement of all sectors of society” in development and to foster a regional identity.<sup>5</sup> Moreover, the

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<sup>2</sup> Dewi Fortuna Anwar, “ASEAN's Enlargement: Political, Security and Institutional Perspectives,” in *ASEAN Enlargement: Impacts and Implications*, edited by Mya Than and Carolyn Gates (Singapore: Institute of Southeast Asian Studies, 2001), 39.

<sup>3</sup> ASEAN Secretariat, “The ASEAN Declaration (Bangkok Declaration), Bangkok, 8 August 1967, <http://www.aseansec.org/1212.htm> [accessed on 20/01/11].

<sup>4</sup> ASEAN Secretariat, “Declaration of ASEAN Concord II” (Bali Concord II), Bali, 7 October 2003, <http://www.aseansec.org/15159.htm> [accessed on 20/01/11].

<sup>5</sup> Ibid.

ASEAN Charter also includes the aim “to promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building.”<sup>6</sup> In practice, ASEAN’s efforts to involve all sectors of society in its development policies are debatable, and many people in ASEAN are still unaware of what ASEAN is or does. ASEAN member states seem to interpret involvement of society as the inclusion of social groups (e.g. students) in ASEAN themed activities, such as seminars and conferences, while non-state actors, such as civil society organizations (CSOs), interpret involvement as participation in agenda setting and policy making. As for ASEAN awareness, CSOs point out that there is a lack of access to information on ASEAN within the region.<sup>7</sup> Given the contrast between ASEAN’s inception and its current process of community building, as well as the contrast between the envisaged ASEAN Community and the actual ASEAN, two research questions can be generated. First, what accounts for this leap from a regional association, with limited regional cooperation, to aspirations for a comprehensive regional community? Second, and more importantly, is this leap substantive, or more symbolic? In other words, how much credence should one give to claims that Southeast Asia is actually realizing a regional community? The existing literature tends to cover the first research question, while the second research question has received less systematic attention. For this reason, this thesis will focus more on the latter, although its findings will ultimately shed light on both.

By tracing ASEAN’s progress towards a stage of regional community building, one finds that the same set of driving forces does not operate throughout a region’s evolution, and that new developments may be required for community building to be successful. When

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<sup>6</sup> ASEAN Secretariat, “Charter of the Association of Southeast Asian Nations,” <http://www.aseansec.org/21069.pdf> [accessed on 22/07/11].

<sup>7</sup> “Gan prachum radom samong krang this am ruang prachasangkhom lae wathanatham ASEAN,” [Third Brain-Storming Session on the ASEAN Socio-Cultural Community], *Prachasangkhom lae wathanatham ASEAN* [ASEAN Socio-Cultural Community], edited by Prapat Thepchatree (Thammasat University, Thailand: 2008).



ASEAN was established in 1967, the five founding member states were all preoccupied with the immediate task of nation-building within the constraints of the Cold War context, that is, the conflict between the two superpowers and their use of Southeast Asia as a proxy battleground, as well as the threat from communist insurgency. As such, they sought to consolidate regime security and to reduce the appeal of communism through economic development, and, thus, also reduce the possibility for external superpower intervention. At the same time, the formation of ASEAN was also intended to promote regional reconciliation, given the background of intra-regional conflicts, especially Indonesia's confrontation against Malaysia.

ASEAN's evolution, especially in the post-Cold War period, has since then demonstrated how driving forces of regionalism vary with changes in the international system. The collapse of the bipolar system, most clearly marked by the collapse of communism in Eastern Europe, and the resurgence of regions as autonomous regional entities, as opposed to parts of this or that superpower bloc or superpower battleground produced new regional norms. More specifically, the shift towards democratic forms of government promoted new regional norms on democratization and human rights, while the resurgence of regions motivated regional consolidation through expansion and the cultivation of a regional identity. Security concerns over the post-Cold War international system drove regional cooperation and regional expansion. However, similar to the Cold War period, security concerns can also divide the region in terms of conflicting interests, which lead to differentiation, or negative identification of the other, especially as an external security threat. Differentiation within a region is most clearly demonstrated by bilateral relations. It restricts the emergence of a collective identity, and, in doing so, also restricts community-building.

Regional community building in Southeast Asia demonstrates the similarities and differences between the driving forces which stimulated the formation of ASEAN during the

Cold War, and those which stimulated ASEAN's expansion and consolidation in the post-Cold War period. Security concerns drove both the formation of ASEAN and ASEAN's expansion to include all Southeast Asian nations as part of a regional community. ASEAN's expansion was intended as an historic act of regional reconciliation, and was underpinned by security concerns and strategic incentives at both the national and regional level. At the national level, for example, Thailand saw ASEAN's expansion as an opportunity to project its own centrality within the association, thereby consolidating its interests. Vietnam saw ASEAN expansion as a means to overcome vulnerability vis-à-vis China.<sup>8</sup> At the regional level, ASEAN's expansion to include Myanmar was partly a pre-emptive act against China's exploitation of Myanmar's international isolation for its own strategic ends.<sup>9</sup> Moreover, ASEAN's expansion was also expected to reinforce ASEAN's diplomatic centrality in the ASEAN Regional Forum (ARF), which grew out of ASEAN's Post Ministerial Conferences with dialogue partners, and was formed in 1993.<sup>10</sup> ASEAN member states were motivated to establish the ARF as a wider regional grouping for multilateral security dialogue for two reasons. First, they lacked the capacity to effectively tackle regional security problems by themselves. Second, they sought to remain at the centre of discussions on security in the Asia-Pacific region.<sup>11</sup> In this regard, security concerns explain ASEAN's expansion and ASEAN's role and interests in multilateral institutions; however, they do not explain why ASEAN member states chose to embark on a process of community building, which came to include such novel processes as ASEAN meetings with civil society.

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<sup>8</sup> Robyn Lim, "The ASEAN Regional Forum: Building on Sand," *Contemporary Southeast Asia* 20, No. 2 (Aug, 1998): 124; Tobias Nischalke, "Does ASEAN Measure Up?" *The Pacific Review* 15, No. 1 (2002): 105.

<sup>9</sup> Michael Leifer, *The ASEAN Regional Forum: Extending ASEAN's Model of Regional Security*, Adelphi Paper No. 302 (London: Oxford University Press, 1996), 47.

<sup>10</sup> ASEAN has ten Dialogue Partners: Australia, Canada, China, the European Union, India, Japan, New Zealand, the Republic of Korea, Russia and the United States.

<sup>11</sup> Lim, "The ASEAN Regional Forum," 117.

ASEAN policy-makers, and academia who have been co-opted by them, tend to generate mainstream success stories of ASEAN, rather than an analysis of structural weaknesses in the building blocks for an ASEAN Community, namely, differentiation and the continuation of bilateral conflicts, as well as the lack of people's participation, or participatory regionalism. While there are analyses on bilateral conflicts within ASEAN, for example by Michael Leifer and Andrew Tan, these analyses tend to focus on the unequal distribution of power (smaller states' insecurity vis-à-vis larger and more powerful states), territorial disputes, and border disputes on such issues as fishery and drug trafficking.<sup>12</sup> Rather than focusing on the physical security threats posed by bilateral conflicts, I am more interested in how they maintain negative stereotypes of neighboring countries, and how this restricts ASEAN's aim to promote regional solidarity as part of the ASEAN Community. ASEAN community building is confronted with many obstacles, ranging from political diversity, to economic development gaps, to cultural differences. Yet, the literature on ASEAN is characterized by a general trend of success stories, which two scholars, David Jones and Michael Smith, attribute to the close relationship between ASEAN scholars and the state, or what they call "the bureaucratization of academia."<sup>13</sup> Jones and Smith find that political elites have directed analytical attention away from ongoing interstate tensions, and the lack of participatory regionalism, toward a projection of superficially successful, distinctive regional practices.<sup>14</sup> They argue that "the role of the scholar-bureaucrats was not to

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<sup>12</sup> Michael Leifer, *Dilemmas of Statehood in Southeast Asia* (Singapore: Asia-Pacific Press, 1972); Andrew T.H. Tan, *Southeast Asia: Threats in the Security Environment* (Singapore: Marshall Cavendish, 2006); Hans H. Indorf, "Impediments to Regionalism in Southeast Asia: Bilateral Constraints Among ASEAN Member States," *ASEAN Political Studies* (Singapore: Institute of Southeast Asian Studies, 1984); Corazon M. Siddayao, *The Offshore Petroleum Resources in Southeast Asia: Potential Conflict Situations and Related Economic Considerations*, 2<sup>nd</sup> impression (Singapore: Oxford University Press, 1980); Lee Yong Leng, *The Razer's Edge: Boundaries and Boundary Disputes in Southeast Asia* (Singapore: ISEAS, 1980); Francis T. Christy, Jr., ed., *Law of the Sea: Problems of Conflict and Management of Fisheries in Southeast Asia* (Singapore: International Center for Living Aquatic Resources Management and ISEAS, 1980).

<sup>13</sup> David Martin Jones and Michael L.R. Smith, "Is there a Sovietology of South-East Asian Studies?" *International Affairs* 77, No. 4 (Oct., 2001): 856; David Martin Jones and Michael L.R. Smith, "ASEAN Imitation Community," *Orbis* 46, No. 1 (Winter 2002): 100.

<sup>14</sup> Jones and Smith, "ASEAN Imitation Community," 97, 100.

question, but to give intellectual credibility to distinctive values and practices that sustained the developmental ideology.”<sup>15</sup> For this reason, ASEAN studies tend to focus on the success of regional norms, or the “ASEAN Way,” in maintaining peace in Southeast Asia, instead of analyzing obstacles to community building. This thesis seeks to provide an empirical contribution to studies on ASEAN community building by analyzing the impact of bilateral relations and civil society on the community building progress. However, before doing so, one would first have to understand why ASEAN member states came together and how they came to embark on the community building process in the first place.

Just as driving forces vary throughout a region’s evolution, so too does the strength of different international relations (IR) theories to explain different turning points. For example, realism provides a strong explanation for why ASEAN member states came together to form a regional association. In the discussion that follows, I show how the early realist literature essentially sought to assess ASEAN’s role in maintaining regional security vis-à-vis intra-regional conflicts and external intervention. These realist analyses are less able to provide explanations for why states would develop and expand regional cooperation into other areas once security threats have subsided. In terms of the deepening and widening of regional cooperation, the constructivist approach fares better by analyzing the role of regional institutions and norms in socializing states so that they may acquire a stronger regional mindset and a stronger sense of regional identity. However, the persistence of nationalism and intra-regional conflicts suggests that socialization may only proceed so far if regional security threats and regional divisions remain. For this reason, there is a need to develop a new, combined theoretical approach, which adopts an implicit realist interpretation of ASEAN (ASEAN as a means to maintain regional security), while emphasizing the role of constructivist, rather than realist, processes, in ASEAN’s survival and development. This

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<sup>15</sup> Jones and Smith, ““Is there a Sovietology of South-East Asian Studies?” 857.

means taking account of argumentation and negotiations within ASEAN, as well as balancing behavior in reaction to external and intra-regional security threats. Moreover, a combined theoretical approach also means analyzing regional discourse as well as action. This thesis seeks to adopt such a combined theoretical approach by evaluating ASEAN's progress in community building, based on the shift from regional policies and processes associated with "old regionalism," towards those which are associated with "new regionalism." Section I of this chapter defines and explains the shift from "old regionalism" to "new regionalism," both in terms of actual regional trends and academic analyses of these trends. Section II provides the background to an ASEAN Community and an outline of previous studies on ASEAN community building. Section III justifies the independent variables of bilateral relations and civil society to evaluate the dependent variable of ASEAN community building. Finally, section IV presents the analytical framework of this thesis, that is, how this thesis evaluates ASEAN's progress in community building based on the shift from old to new regionalism.

### **I. From Old Regionalism to New Regionalism**

Two concepts which form the basis of regional community building are regionalism and regionalization. Regionalism refers to "formalized regions with officially agreed membership and boundaries that emerge as a result of intergovernmental dialogues and treaties."<sup>16</sup> Regionalisation refers to processes which "fill the region with substance such as economic interdependence, institutional ties, political trust, and cultural belonging."<sup>17</sup> In this regard, regionalism originally focused on state-led regional projects while regionalization focuses on non-state actors, particularly non-state economic actors, market forces and a common identity. The terms are not mutually exclusive, for example, states set up and

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<sup>16</sup> Shaun Breslin, "Theorising East Asian regionalism(s): new regionalism and Asia's future(s)," in *Advancing East Asian Regionalism*, edited by Melissa G. Curley and Nicholas Thomas (London: Routledge, 2007), 29.

<sup>17</sup> Raimo Väyrynen, "Regionalism: Old and New," *International Studies Review* 5, No. 1 (2003): 25-51.

regulate the international political economy in which market forces operate. State policies also fund the building of infrastructure for international trade and enable regional or global economic integration.<sup>18</sup> Thus, regionalism and regionalization are interrelated, but it is the term regionalism that is more commonly used and regionalism that has been redefined to reflect the changing international system and increasing regional actors.

The inability of Europe-based integration theories to explain adequately the process of regional integration outside Europe led to the emergence of a new strand of literature in the 1990s. This literature is often placed under the broad umbrella of “new regionalism,” to distinguish it from previous works under the broad umbrella of “old regionalism,” although some authors do not explicitly use this label for their research.<sup>19</sup> This approach of distinguishing the new from the old sheds light on our two research questions in terms of the move towards a regional community, and progress in regional community building. Moreover, it also enables us to create a conceptual continuum from regionalization (regional substance), to regional cooperation (ranging from the functional-economic realm, to the political and social realm), to regionalism (regional consolidation through discourse and policies), and, ultimately, a regional community, where there is a “we-feeling” of solidarity and where society becomes involved in regionalism.

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<sup>18</sup> Breslin, “Theorising East Asian regionalism(s),” 31; See also Helen Milner, “International Theories of Cooperation among Nations: Strengths and Weaknesses,” *World Politics* 44, No. 3 (1992): 466-494; Etel Solingen, “Economic Liberalization, Political Coalitions, and Emerging Regional Order,” in *Regional Orders: Building Security in a New World*, edited by David A. Lake and Patrick M. Morgan (Pennsylvania: Pennsylvania State University Press, 1997); Etel Solingen, *Regional Orders at Century’s Dawn: Global and Domestic Influences on Grand Strategy* (Princeton, NJ: Princeton University Press, 1998).

<sup>19</sup> Edward Mansfield and Helen Milner, eds., *The Political Economy of Regionalism* (New York: Columbia University Press, 1997); Finn Laursen, ed., *Comparative Regional Integration: Theoretical Perspectives* (Aldershot: Ashgate, 2003); Louise Fawcett and Andrew Hurrell, eds., *Regionalism in World Politics: Regional Organization and International Order* (Oxford: Oxford University Press, 1996).

## *Old Regionalism*

Old regionalism is based on regional developments in the 1950s and 1960s: it is mainly Euro-centric, and tends to focus on the origins of ideas for European integration, and theories of European integration.<sup>20</sup> With regard to the origins, there is a focus on the context of the end of the Second World War, the ideas emerging from individual countries at international meetings in Yalta and Potsdam, as well as the issue of what to do with Germany. For example, the Soviet Union wanted to strip Germany of its assets, while in France and Germany, there was an emerging preference to improve bilateral relations and to initiate a working relationship. The old regionalism literature on Europe also focuses on the role of policy entrepreneurs, or individuals, namely, Jean Monnet (a French civil servant), who advocated incremental regional integration, Robert Schuman (the French Foreign Minister), who gave political clout to Monnet's proposals, and Altiero Spinelli (an Italian federalist leader), who advocated a big constitution-based federal system. Moreover, the literature also analyses the structural motivations behind regionalism during the Cold War – the threat of communism and the need to pool resources to match the superpowers – as well as the early schools of thought on how to avoid war, that is, federalism, functionalism and transactionalism.<sup>21</sup> Federalism was advocated by Spinelli, and focuses on the creation of a big central institution underpinned by a constitution. Functionalism and transactionalism were both advocated by political theorists: David Mitrany and Karl Deutsch, respectively.<sup>22</sup> The former focused on the promotion of economic cooperation to overcome ideological

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<sup>20</sup> See Desmond Dinan, *Ever Closer Union: An Introduction to European Integration*, 3<sup>rd</sup> ed. (Basingstoke: Palgrave Macmillan, 2005); Richard McAllister, *From EC to EU: An Historical and Political Survey* (London: Routledge, 1997); Derek W. Urwin, *The Community of Europe: A History of European Integration since 1945* (London: Longman, 1991).

<sup>21</sup> See Ben Rosamund, *Theories of European Integration* (Basingstoke: Macmillan, 2000).

<sup>22</sup> David Mitrany, *A Working Peace System: An Argument for the Functional Development of International Organization* (London: Royal Institute of International Affairs, 1943); Karl W. Deutsch, *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton: Princeton University Press, 1957).

differences; while the latter envisaged a group of states, which no longer use military force to resolve conflicts, but instead use dialogue, communications and trade to reinforce cooperation and trust among them. These early schools of thought on European regionalism were characterized by a tendency toward integration and diminishing national sovereignty. As such, they were largely inapplicable to developing regions, which tended more towards widened and deepened regional cooperation, and which remain very much protective of their national sovereignty.

Euro-centric regionalism aside, the literature on old regionalism is helpful in explaining the emergence of regional organizations, and the foundation of what could potentially evolve into a regional community. Old regionalism is based on regional developments during the early stages of the Cold War. As such, it focuses on reactions to external forces, namely, the policies of the great powers and the international political economy. Within international relations theories, old regionalism is most closely associated with realism. Realists perceive regionalism as a means for nation-states to realize their national interests within an anarchic international system, or one without an overarching central authority. Given that the international system is anarchic, each state is forced to prioritize its own needs and interests as the basic means for survival. As a result, it becomes necessary for states to increase and to demonstrate their power in international relations. This tends to take the form of military capability and economic power.

Realists, such as Michael Leifer, argue that security concerns and the struggle for the recognition of newly formed states motivated the formation of ASEAN.<sup>23</sup> Four of the original ASEAN member states – Indonesia, Malaysia, the Philippines and Singapore – had just gained independence during the period of decolonization after the Second World War. All

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<sup>23</sup> Michael Leifer, "The ASEAN States and the Progress of Regional Cooperation in South-East Asia," in *Politics, Society and Economy in ASEAN States*, edited by Bernhard Dahm and Werner Draguhn (Wiesbaden: Otto Harrassowitz, 1975).



were apprehensive of the uncertain, tense and volatile Cold War environment, and sought to consolidate their hard won and newly found statehood. Indonesia saw ASEAN as a means to realize the ideal for a new regional order free from Western interference. Malaysia saw ASEAN as a means to gain formal recognition of their newly found state and its national borders by Indonesia and the Philippines. For the Philippines, ASEAN was perceived as a means to reduce their country's dependence on the US, and for Singapore, a step towards recognition by its larger neighbors.<sup>24</sup> The leaders of these countries reasoned that effective and sustainable nation-building could only take place within a peaceful and stable regional context, and that a regional association could promote regional reconciliation, cooperation and development.<sup>25</sup> All the founding members of ASEAN (the aforementioned four members plus Thailand) shared a common vulnerability to internal security threats, be they revolutionary social challenges, separatism or irredentism.<sup>26</sup> As such, it was their intention that ASEAN would facilitate "collective internal security," by shielding them from the great powers, and enabling them to consolidate the nation-state through economic development.<sup>27</sup> Moreover, regional cooperation was intended to help ASEAN member states overcome past interstate tensions and conflicts, as well as become self-sufficient and achieve regional autonomy.

In the early years of ASEAN, interstate tensions and obstacles to regional reconciliation included Singapore's sense of vulnerability vis-à-vis its two bigger neighbors of Indonesia and Malaysia, as well as the territorial dispute over Sabah between Malaysia and the Philippines. The mitigation of interstate tensions occurred through bilateral efforts,

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<sup>24</sup> Kai Dreisbach, "Between SEATO and ASEAN: The United States and the Regional Organization of Southeast Asia," in *The Transformation of Southeast Asia; International Perspectives on Decolonization*, edited by Marc Frey et al. (Singapore: Singapore University Press, 2003), 255.

<sup>25</sup> David Martin Jones and Michael L.R. Smith, "Making Process, not Progress; ASEAN and the Evolving East Asian Regional Order," *International Security* 32, No. 1 (Summer 2007): 149.

<sup>26</sup> Michael Leifer, *Conflict and Regional Order in Southeast Asia* (London: International Institute for Strategic Studies, 1980), 4-8.

<sup>27</sup> Michael Leifer, *ASEAN and the Security of Southeast Asia* (London: Routledge, 1989), 3, 29.

sometimes under the ASEAN framework in ASEAN meetings to promote dialogue and a settlement that is acceptable to both sides. Bilateral efforts tend to be triggered by escalating tension and the possibility of armed conflict. ASEAN member states have the option of convening a multilateral High Council under the 1976 Treaty of Amity and Cooperation in Southeast Asia to peacefully resolve disputes.<sup>28</sup> However, this mechanism has never been used due to the preference for bilateral negotiations and settlements, or the referral of conflicts to international organizations.<sup>29</sup> Nevertheless, despite interstate tensions and conflicts, ASEAN member states were united by their common perception of external security threats during the Cold War. These threats included the superpower conflict in Southeast Asia, especially the US defeat in Vietnam, and external interference in the process of nation-building, should communism spread from Indochina to the rest of the region. Common security concerns led to discussions on the “neutralization” of Southeast Asia in the 1970s. Such discussions produced two new ASEAN agreements, which reaffirmed ASEAN member states’ interests and promoted regional solidarity: the Zone of Peace, Freedom and Neutrality (ZOPFAN) Declaration of 1971, and the Treaty of Amity and Cooperation (TAC) of 1976.

Old regionalism, in the form of the realist approach, explains the initial limited ASEAN cooperation in the political realm, since it emphasizes power, security and survival as its core variables. Realists interpret regionalism as a strategic response to shifts in the international balance of power. This is true for both the Cold War and post-Cold War periods. The expansion of ASEAN cooperation through an ASEAN Free Trade Area (AFTA) in 1992 is interpreted as a means for ASEAN’s renewal, and survival, after the end of the Cold War

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<sup>28</sup> See ASEAN Secretariat, “Treaty of Amity and Cooperation in Southeast Asia,” Indonesia, 24 February 1976, <http://www.asean.org/1217.htm> [accessed on 30/06/11].

<sup>29</sup> For example, the Malaysian-Indonesian dispute over the Sipadan-Ligitan islands off Sabah was settled at the International Court of Justice in December 2002.

and the resolution of the Cambodian conflict.<sup>30</sup> According to realists, the decline in superpower confrontation between the US and the Soviet Union in the 1990s not only reduced the strategic significance of ASEAN to the major powers, but also undermined the purpose of ASEAN to its member states. For this reason, realists argue that AFTA was initiated as a means for ASEAN member states to maintain ASEAN's relevance into the post-Cold War period.<sup>31</sup> The mission to maintain ASEAN's relevance became especially urgent against the backdrop of the Asia-Pacific Economic Cooperation Forum (APEC), which was formed in 1989, and which threatened to marginalize ASEAN in wider regional affairs.<sup>32</sup> In addition to APEC, fear of marginalization also arose from regional economic integration in Europe and the emergence of the North American Free Trade Agreement (NAFTA), between the US, Canada and Mexico in 1994. This turn towards regionalism in other continents reinforced the need for AFTA as a safeguard against closed regional blocs and protectionism, as well as a means to increase ASEAN's bargaining power vis-à-vis external countries and other regional blocs.

As a core variable of the realist approach, security concerns explain progress in regionalism, but mainly in terms of institutionalizing benefits provided by the great powers, and/or institutionalizing regional security cooperation. Lesser powers seek to stabilize the involvement of great powers in regional affairs by creating inclusive regional institutions and by balancing. Lesser powers cooperate in the building of regional multilateral institutions to promote and regulate interaction, develop norms, and create a regional identity, thereby institutionalizing cooperation between the great and rising powers.<sup>33</sup> They can also cooperate

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<sup>30</sup> Leszek Buszynski, "ASEAN's New Challenges," *Pacific Affairs* 70, No. 4 (Winter 1997-1998): 557.

<sup>31</sup> John Ravenhill, "Economic Cooperation in Southeast Asia: Changing Incentives," *Asian Survey* 35, No. 9 (Sep., 1995): 853.

<sup>32</sup> Paul Bowles and Brian MacLean, "Understanding Trade Bloc Formation: The Case of the ASEAN Free Trade Area," *Review of International Political Economy* 3, No. 2 (Summer, 1996): 340.

<sup>33</sup> For example, the ASEAN Regional Forum (ARF), which was established in 1993, and which includes ASEAN, Australia, Bangladesh, Canada, EU, India, Japan, Democratic People's Republic of Korea, Republic of

indirectly to balance against rising powers by promoting the great power's continued commitment to the region. For example, ASEAN member states indirectly balance against China by sustaining US dominance in the region.<sup>34</sup> They remind the US of its stabilizing role in the region, and how its withdrawal would produce competition between rising powers (such as China and Japan) to fill the power vacuum, thereby leading to regional instability.<sup>35</sup>

The old regionalism literature not only provides the background for the continuing importance of security concerns to regionalism, as explained by realists, but also provides the background for the continuing importance of economic concerns, as explained by neoliberal institutionalists. For neo-liberal institutionalists, "the idea of politics is equated with the need to develop social institutions (such as the state and market) that conform more closely to a possessively individualist model of motivation and the propensity of ostensibly free individuals to pursue their material self-interest."<sup>36</sup> Neo-liberal institutionalists are preoccupied with the notion of interdependence that is based on economic integration, rather than interdependence that is based on strong regional bonds of solidarity and a common identity. They are preoccupied with functional economic integration, which is defined as movement towards one price for the means of production, a unit of merchandise or a service.<sup>37</sup> While neo-liberal institutionalists are able to explain how countries overcome resistance to trade and facilitate economic integration, they are less able to explain how

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Korea, Mongolia, New Zealand, Pakistan, Papua New Guinea, People's Republic of China, Russia Federation, Timor Leste and the US.

<sup>34</sup> Evelyn Goh, "Great Powers and Hierarchical Order in Southeast Asia: Analyzing Regional Security Strategies," *International Security* 32, No. 3 (Winter 2007/8): 131-137.

<sup>35</sup> Avery Goldstein, "Balance-of-Power Politics: Consequences for Asian Security Order," in *Asian Security Order: Instrumental and Normative Features*, edited by Muthiah Alagappa (Stanford: Stanford University Press, 2003).

<sup>36</sup> Stephen Gill, "Knowledge, Politics, and Neo-Liberal Political Economy," in *Political Economy and the Changing Global Order*, edited by Richard Stubbs and Geoffrey R.D. Underhill (Ontario: Oxford University Press, 2000), 50; See also Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, NJ: Princeton University Press, 1984); Jean Grugel and Wil Hout, eds., *Regionalism across the North-South Divide: State Strategies and Globalization* (London: Routledge, 1999).

<sup>37</sup> Peter Drysdale and Ross G. Garnaut, "The Pacific: An Application of a General Theory of Economic Integration," in *Pacific Dynamism and the International Economic System*, edited by C. Fred Bergsten and Marcus Nolan (Washington D.C.: Institute of International Economics, 1993).

countries overcome resistance to other aspects of regionalism, such as the continuation of bilateral conflicts and marginalization of non-state actors from regional processes. For neo-liberal institutionalists, states overcome resistance to trade by facilitating transport and communications, introducing new measures to reduce the perception of risk and uncertainty of price fluctuations.<sup>38</sup> These actions improve regional infrastructure and the physical connectivity of states, but do not necessarily contribute to the non-physical aspects of regionalism that characterize a regional community, such as regional solidarity and a regional mindset.

Overall, the realists and neo-liberal institutionalists provide strong explanations for regional security and economic cooperation, respectively; however, the aims for ASEAN community building have gone beyond these two areas, and, as such, requires other approaches to provide a comprehensive analysis. The realist approach to ASEAN's evolution is limited in that it treats the state as a black box, that is, it focuses on states' reactions to structural changes in the distribution of power while ignoring the impact of changes in domestic politics. For example, how domestic politics affects intra-regional relations or how it influences the decision to include, or exclude, civil society from regional processes. ASEAN member states have always prioritized the unity of all Southeast Asian nations into one regional grouping, as indicated by the founding document of ASEAN and ASEAN's expansion. However, irrespective of whether ASEAN membership was complete, ASEAN member states were always confronted with intra-regional conflicts and, most recently, different preferences towards the role of civil society. Given that ASEAN member states support the principle of non-interference, any resolution to intra-regional conflicts would have to arise from the concerned parties, and is dependent on state-centered security and economic interests. As for interactions with civil society, this depends on ASEAN member

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<sup>38</sup> Ross Garnaut, "Open Regionalism – Its Analytic Basis and Relevance to the International System," *Journal of Asian Economics* 5, No. 2 (1994): 275-276.

states' progress in democratization and domestic politics. Thus, an analysis on ASEAN community building requires both a test for the persistence of old regionalism, and the significance of factors under new regionalism.

### *New Regionalism*

Literature which forms part of new regionalism seeks to address the shortcomings of old regionalism. This strand of literature mainly grew out of "The New Regionalism Project," led by Björn Hettne, and sponsored by the United Nations University/World Institute for Development Economics Research (UNU/WIDER) in 1994.<sup>39</sup> The project produced a new regionalism approach (NRA), which moves beyond the state by including more levels of analyses: the world system, inter-regional relations, the region, and the sub-national level.<sup>40</sup> These different levels are treated as follows. At the global level, NRA analysis focuses on the decline of hegemonic powers and the shift from bipolarity to unipolarity, and then to multipolarity. The emergence of multipolarity implies increasing regionalism as centres of power become more evenly spread throughout the world.<sup>41</sup> At the inter-regional level, emphasis is placed on interactions between different regional organizations and demonstrates a trend toward increasing interdependence. Regional level analysis highlights converging perceptions, interests and policies in various fields, ranging from security and economics, to culture and identity. This level of analysis provides for state preferences and demonstrates the

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<sup>39</sup> See Björn Hettne and András Inotai, "The New Regionalism: Implications for Global Development and International Security" (Helsinki: The United Nations/World Institute for Development Economics Research, 1994); Björn Hettne, András Inotai and Osvaldo Sunkel, eds., *Globalism and the New Regionalism* (Basingstoke: Macmillan, 1999).

<sup>40</sup> Björn Hettne, "Regionalism, Security and Development: A Comparative Perspective," in *Comparing Regionalisms: Implications for Global Development*, edited by Björn Hettne, András Inotai and Osvaldo Sunkel (Helsinki: The United Nations University/World Institute for Development Economic Research, 2001), 1; Joakim Öjendal, "To be or not to be? Regionalization in East and South East Asia," in *National Perspectives on the New Regionalism in the South*, Vol. 3, edited by Björn Hettne, András Inotai and Osvaldo Sunkel (Helsinki: The United Nations University/World Institute for Development Economics Research, 2000), 20.

<sup>41</sup> For a study on the impact of increasing regionalism on world peace, see Joseph Nye, *Peace in Parts: Integration and Conflict in Regional Organisations* (Boston: Little, Brown & Co., 1971).

dynamic competing and converging national interests of states within the same region. Finally, sub-national level analysis demonstrates how domestic factors, such as nation-building, affect regionalism.<sup>42</sup> Assuming that countries within a region are the drivers of regionalism, as opposed to external great powers, one would have to include regional and sub-national level analyses to determine the driving forces of regional community building. For the regional level analysis on community building, this thesis analyzes the significance of new regional processes and actors, namely, participatory regionalism, a new regional human rights body, and transnational civil society networks. For the sub-national level analysis, the thesis tests for the persistence of old regional problems and dominance of old actors, that is, bilateral conflicts that are based on state-centered security interests.

Hettne and his colleagues wanted to broaden the scope of regionalism in order to provide “a comprehensive, interdisciplinary, and historically based social science.”<sup>43</sup> They wanted to highlight the qualitative differences between European integration and the processes taking place in developing regions, that is, the consolidation of regional cooperative frameworks and regional identity. Moreover, they sought to highlight the differences between the bipolar Cold War context, in which initial European integration took place, and the more multipolar context of the post-Cold War period, in which there were more regional dynamics worldwide, and in which aspirations for a regional community became stronger and more actively pursued. Hence, the development of a new regionalism approach to take account of the different actors involved in regional community building and the expanding regional agenda.

A new regionalism approach provides for a comprehensive analysis of community building by including multiple levels of analysis, and taking account of an increasing number

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<sup>42</sup> Alexander C. Chandra, *Indonesia and the ASEAN Free Trade Agreement: Nationalists and Regional Integration Strategy* (Plymouth, UK: Lexington Books, 2008), 6-7.

<sup>43</sup> Björn Hettne and Fredrik Söderbaum, “Theorizing the Rise of Regionness,” *New Political Economy* 5, No. 3 (2000): 460.

of actors (namely, non-state actors), as well as a wider range of issues (such as democratization and human rights). NRA theorists argue that new regionalism, which ultimately leads to a regional community, is not only about state-led projects and the institutionalization of regional cooperation. Rather, it is the process of constructing and consolidating a region through 1) regional stakeholders' (including both state and non-state actors) discussion of common interests; 2) their engagement in regional cooperation; and 3) efforts to become more homogenous by promoting common policies and a common identity.<sup>44</sup> A new regionalism approach does not assume that all regions have the same internal dynamics, but states that each one must be understood in the context of globalization. It is argued that globalization contributed to the emergence of non-state actors as advocates of regional integration, due to their aim to mitigate its negative impact.<sup>45</sup> With regard to expanded regional cooperation beyond state actors, the NRA provides for a combined analysis of power and norms. This combined analysis demonstrates how state-centered security and economic interests can restrict the implementation of regional norms on conflict prevention and the non-use of force. Moreover, a combined analysis also sheds light on how state-centered regionalism can restrict the emergence of a regional identity by limiting regional processes, and the benefits of regional cooperation, to state actors. Given that ASEAN regionalism is based on consensus, that ASEAN member states are politically and economically diverse, and that they have different interests, it is very difficult for them to become homogeneous and to form a regional community of like-minded member states. A new regionalism approach explains community building across multiple levels, and community building in terms of an expansion of regional actors and regional cooperation.

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<sup>44</sup> Hettne, *The New Regionalism*; Michael Schulz, Fredrik Söderbaum, and Joakim Öjendal, "Introduction: A Framework for Understanding Regionalization," in *Regionalization in a Globalizing World: A Comparative Perspective on Forms, Actors and Processes*, edited by Michael Schulz *et al.* (London: Zed Books, 2001), 5.

<sup>45</sup> Björn Hettne, "Globalization and the New Regionalism: The Second Great Transformation," in *Globalism and the New Regionalism*, edited by Björn Hettne *et al.* (London: Macmillan Press, 1999), 7.



However, it does not explain the processes of community building, in terms of creating a collective identity and regional norms. For these processes, one has to turn to constructivism.

Constructivists focus on the redefinition of identities and interests, which occur through states' interactions and the process of socialization in international institutions. Through social interactions, states can identify, maintain, and pursue points of common interest and consensus. States' interests are expected to be redefined, that is, converged, through these social interactions. This process of convergence, or socialization, is evident when states develop stable expectations of each other's behavior, when they behave according to an agreed code of conduct and come to identify with each other as part of a common community.<sup>46</sup> Constructivism is useful for an analysis on regional community building since it analyzes the interaction between states' power and norms, and, as such, forms the basis of the security community framework. This framework builds on Deutsch's concept of a security community, and, as such, defines a security community as "a group of states which have developed a long-term habit of peaceful interaction and ruled out the use of force in settling disputes with other members of the group."<sup>47</sup> Moreover, a security community has the following three characteristics:

1. Members of a community have shared identities, values and meanings;
2. Those in a community have many-sided and direct relations. Interaction occurs through some form of face-to-face encounter and relations in numerous settings;
3. Communities exhibit reciprocity that expresses some degree of long-term interest and perhaps even altruism.<sup>48</sup>

The security community framework provides for regional community building up to a stage where a transnational civic community emerges, where the state caters to a broader range of

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<sup>46</sup> Alexander Wendt, "Anarchy is what states make of it: the social construction of power politics," *International Organization* 46, No. 2 (1992): 391-425.

<sup>47</sup> See Amitav Acharya, *Constructing a Security Community in Southeast Asia; ASEAN and the problem of regional order* (London: Routledge, 2001), 1.

<sup>48</sup> Emanuel Adler and Michael Barnett, "A Framework for the Study of Security Communities," in *Security Communities*, edited by Emanuel Adler and Michael Barnett (Cambridge: Cambridge University Press, 1998), 31.

social needs, such as human rights and economic welfare, and where people become part of a regional community.<sup>49</sup> This stage of development is referred to as a “tightly-coupled security community” in terms of people’s sense of belonging to a regional entity, as well as their sense of regional solidarity. A security community emerges and is consolidated by social interactions, and the norm-setting and identity building which occurs through these interactions. Constructivists extend the role of norms beyond the regulation of state behaviour, as advocated by neo-liberal institutionalists, towards the redefinition of identity and interests in convergent ways. As such, they fill in a gap in the broader literature on regional communities, which is mainly related to Europe.

For the founding fathers of the European Community – Jean Monnet and Robert Schuman – a regional community is based on regional integration, which commences in small, incremental steps in sectors where the issue of national sovereignty is least contentious, before proceeding to “high politics” areas, such as defense and foreign policy.<sup>50</sup> This “Community Method” was given political clout as the Schuman Plan, which presented a European solution to contain Germany’s industries. The plan proposed that French and German coal and steel production be “pooled,” and placed under a supranational authority, the High Authority. As a result, the European Coal and Steel Community (ESCS) was formed in 1951, and laid the institutional foundations for the current European community: the Special Council of Ministers (now the Council of Ministers), a High Authority (predecessor of the European Commission), a Common Assembly (now the European Parliament), a Consultative Committee (now the Economic and Social Committee), and a Court of Justice.<sup>51</sup> The concept of a regional community in Europe was not only based on the creation of central political institutions, but also on economic integration (as evident in, for example, the

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<sup>49</sup> Ibid., 36-37.

<sup>50</sup> Jean Monnet, *Memoirs* (London: Collins, 1978).

<sup>51</sup> Jeremy Richardson, ed., *European Union: Power and Policy-Making*, 3<sup>rd</sup> ed. (Oxford: Routledge, 2006), 38-39.

creation of a European Economic Community in 1957, and the Single European Act in 1987), Moreover, the concept of a regional community also came to include processes in the field of constructivism, such as regional socialization, or Europeanization, leading to a regional identity in the form of European citizenship: all of which have been extensively studied.<sup>52</sup> More recently, the concept of a regional community has expanded to include the involvement of civil society through interactions between civil society and the European Commission.<sup>53</sup> In addition, studies on regional community building in Europe also analyze the extent of civil society's influence on EU policies, the prospects and challenges in opening EU governance to civil society, as well as the role of civil society in monitoring the accession of new EU member states.<sup>54</sup> Thus, according to the literature on a European community, a regional community is indicated by central political institutions, economic integration, a regional identity, and the involvement of civil society in regionalism.

With regard to ASEAN, there is literature from the Cold War and early post-Cold War period in the 1990s, which analyses the emergence and consolidation of regional norms; this literature then expanded to include analyses on the construction of a security community in Southeast Asia.<sup>55</sup> Within ASEAN, the regional norms that have been identified and studied are known as the "ASEAN Way," which are said to play a role in the development of shared

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<sup>52</sup> See, for example, Kevin Featherstone and Claudio M. Radaelli, eds., *The Politics of Europeanization* (Oxford: Oxford University Press, 2003); Paolo Graziano and Peter Maarten Vink, eds., *Europeanization: New Research Agendas* (Basingstoke: Palgrave Macmillan, 2008); Ditta Dolejsiora and Miguel Angel Garcia Lopez, eds., *European Citizenship In the Process of Construction: Challenges for Citizenship, Citizenship Education and Democratic Practice in Europe* (Strasbourg: Council of Europe, 2009); Klaus Eder and Bernhard Giesen, eds., *European Citizenship: Between National Legacies and Postnational Projects* (Oxford: Oxford University Press, 2001); "European Citizenship," <http://www.european-citizenship.org> [accessed on 11/01/12].

<sup>53</sup> See "The European Commission and Civil Society," [http://ec.europa.eu/civil\\_society/index\\_en.htm](http://ec.europa.eu/civil_society/index_en.htm) [accessed on 11/01/12].

<sup>54</sup> See Adrian Beresford Taylor, *Is Civil Society Heard in Brussels? Interest Representation and The Role of Civil Society in EU Decision-Making* (London: Federal Trust, 2000); Beate Kohler-Koch, Dirk De Bièvre, and William Maloney, eds., *Opening EU-Governance to Civil Society: Gains and Challenges* (Mannheim: Connex, 2008); Svetlozar Andreev, *Europeanization From Below: Civil Society Monitoring of Bulgaria's Accession to the EU* (Aberdeen: University of Aberdeen, 2007).

<sup>55</sup> Acharya, *Constructing a Security Community in Southeast Asia*.

understandings and the management of regional order.<sup>56</sup> The scholar Noordin Sopiee identified four key aspects of the “ASEAN Way,” which are listed as follows:

(1) system-wide acceptance of the principle of the pacific settlement of disputes; (2) non-interference and non-intervention in the domestic affairs of member states; (3) respect for each other’s territorial integrity and independence; (4) the principle of not inviting external intervention on one’s behalf in the pursuit of disputes.<sup>57</sup>

In this regard, the “ASEAN Way” mainly focuses on the maintenance of regime security, since it supports the pacific settlement of interstate disputes and opposes any external intervention in domestic affairs that could pose a potential threat to the ruling regime. As a result, the “ASEAN Way” restricts community building in two ways. First, if a pacific settlement of interstate disputes cannot be reached, these disputes may simply be suspended until one or more parties find that it is to their advantage to raise them. This allows interstate disputes to be exploited for domestic political gains, thereby undermining regional peace and the realization of the ASEAN Political Security pillar. Second, opposition to external intervention allows ASEAN member states to violate human rights without any sanctions and with the ability to remain under ASEAN’s protective umbrella vis-à-vis the West. Thus, the aim to promote human rights, as declared under the ASEAN Political Security pillar, cannot be pursued either.

Nevertheless, ASEAN norms constitute part of ASEAN member states’ collective identity, and, as such, contribute to community building. Amitav Acharya, who adopts a constructivist approach in his analysis of ASEAN, identifies three main indicators of a collective identity:

Firstly, a commitment to multilateralism, including a desire to include an expanding variety of issues on the multilateral agenda: issues which have previously been dealt

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<sup>56</sup> See Acharya, *Constructing a Security Community in Southeast Asia*; Jürgen Haacke, *ASEAN’s Diplomatic and Security Culture: Origins, Development and Prospects* (London: Routledge, 2005).

<sup>57</sup> Noordin Sopiee, “ASEAN and Regional Security,” in *Regional Security in the Third World*, edited by Mohammed Ayoub (London: Croom Helm, 1986), 229.

with through unilateral or bilateral channels. Secondly, the development of security cooperation, including collective defence, coordination against internal threats, collective security and cooperative security activities. Thirdly, membership criteria of the group.<sup>58</sup>

These characteristics are based on state actors; even the inclusion of coordination against internal threats refers to threats to the state, rather than threats to society, such as the state's violation of human rights. A new regionalism approach provides for a more balanced analysis in terms of state and non-state actors, cooperation on traditional security issues, such as joint military training, as well as non-traditional security issues, such as human rights. In this regard, it is better suited for evaluating ASEAN's progress in regional community building, given that a regional community is not only defined by inter-state relations, but also by state-society, and inter-society relations. As demonstrated by the following definitions: a regional community is based on

relationships which constitute a network of mutual claims, rights, duties and obligations that pull people together in ways that are qualitatively different from the impersonal forces which create a system. Community implies the idea of common interests and at least an emerging common identity.<sup>59</sup>

A regional community has a social dimension, which includes the participation of non-state actors in regional affairs; hence it is indicated by the following characteristics:

the region increasingly turns into an active subject with a distinct identity, institutionalized or informal actor capability, legitimacy and structure of decision-making, in relation to a more or less responsive regional civil society, transcending old state borders. [A regional community] implies a convergence and compatibility of ideas, organizations and processes within a particular region.<sup>60</sup>

The literature on a European community and theories on regional communities assume political integration to varying degrees, since scholars in these fields see community building as primarily about pooled sovereignty among states. Moreover, Barry Buzan proposes an

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<sup>58</sup> Acharya, *Constructing a Security Community in Southeast Asia*, 29.

<sup>59</sup> Chris Brown, "International Theory and International Society: The Viability of the Middle Way," *Review of International Studies* 21, No. 2 (1995): 185.

<sup>60</sup> Walter Mattli, *The Logic of Regional Integration: Europe and Beyond* (Cambridge: Cambridge University Press, 1999).

analytical framework whereby pooled sovereignty among states is followed by the cultivation of a shared identity or a “we-feeling” among regional peoples.<sup>61</sup>

With regard to Southeast Asia, previous studies on ASEAN regionalism (including those which adopt a combined analytical framework), tend to focus exclusively on state actors. For example, Alice Ba analyzes both material and ideational factors in state-centered ASEAN regionalism. Ba focuses specifically on ideas about Southeast Asia as a distinct, but divided region, where division at various levels is understood as a primary source of insecurity and vulnerability.<sup>62</sup> She argues that the idea of Southeast Asia as a divided region, and consequent vulnerability to external intervention, motivated the establishment of a regional organization in the form of ASEAN. Regional unity, through a regional organization, was an agreed response to the dangers of national and regional fragmentation. However, this same idea on the necessity of regional unity also impeded more formal, institutionalized regional cooperation.<sup>63</sup> For example, ASEAN member states’ prioritization of regional unity maintains the principle of non-interference in another country’s internal affairs, decision-making by consensus and informal institutionalism. ASEAN member states are concerned that if they accelerate the development of regional processes beyond some member states’ comfort level, the whole regional project could fall apart. Their adherence to the principle of non-interference means that bilateral problems can remain unresolved if the concerned parties cannot reach a peaceful resolution. This continuation of bilateral conflicts restricts the realization of the ASEAN Political Security pillar. In addition, decision-making by consensus restricts the realization of the ASEAN Socio-Cultural pillar, since ASEAN member states can choose to block new regional norms, which could increase the role of civil society. Ba did not focus on bilateral problems per se, but rather on intra-regional debates

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<sup>61</sup> Barry Buzan, *From International Society to World Society? English School Theory and the Social Structure of Globalisation* (Cambridge: Cambridge University Press, 2004), 111.

<sup>62</sup> Alice D. Ba, *[Re]Negotiating East and Southeast Asia; Region, Regionalism and the Association of Southeast Asian Nations* (Singapore: NUS Press, 2009), 3.

<sup>63</sup> *Ibid.*, 4, 6, 11.

about ASEAN expansion, and ASEAN's relations with the major powers. In contrast, half of the empirical chapters of this thesis will focus specifically on bilateral problems, in order to analyze its impact on ASEAN community building. Moreover, this thesis also differs from Ba's research by analyzing the role of non-state actors, specifically civil society, in changing the nature of ASEAN regionalism, for example, how ASEAN Summits now have an ASEAN People's Forum running in parallel to them, how events at this Forum are reported on the ASEAN Summit website, and how ASEAN officials are expected to meet with participants at this Forum. Thus, the contribution of this thesis to existing research on ASEAN regionalism is the provision of further empirical material on internal obstacles to an advanced stage of regionalism in the form of a regional community.

## **II. ASEAN Community Building**

Based on ASEAN Community documents, it would seem that ASEAN policy makers base community building on old regionalism, that is, security and economic cooperation, with the added recognition and expressed support, but no commitment, to features of new regionalism, such as democratization and human rights. As such, ASEAN's progress in community building can be evaluated, based on a sliding scale between old and new regionalism, whereby the persistence of old regionalism characteristics indicates limited or no progress towards a regional community, while the significance of new regionalism characteristics indicates the extent of progress towards one. As stated in the previous section, a regional community is indicated by 1) common interests; 2) central political institutions; 3) economic integration; 4) the quality of social interactions; 5) a regional identity; and 6) the involvement of civil society in regionalism. Given that ASEAN member states remain very much protective of national sovereignty, they tend to be averse to the creation of central

political institutions; and economic integration, as stated in the section on old regionalism, can only provide a limited explanation for the community building process. The remaining community attributes are more relevant for the ASEAN case, and are covered by the two independent variables chosen for this thesis: bilateral relations and civil society participation. Bilateral relations indicate the extent of common interests and the prospects and challenges for a regional identity, while civil society participation constitutes the remaining community attribute.

Progress towards an ASEAN Community has been stimulated by both traditional driving forces and new driving forces of regionalism. ASEAN member states remain bound together by the same set of factors, namely, concerns for regime security and economic development. For this reason, new security threats, be they external, such as the rise of China, or internal, such as the Asian Financial Crisis, have prompted reactive, new regional policies to ensure that ASEAN relevance is maintained, and that the interests of ASEAN member states are not threatened or marginalized in the evolving post-Cold War regional environment.<sup>64</sup> However, in addition to the traditional stimulus of security threats, new ASEAN policies have also been stimulated by domestic political changes. These changes include democratization within ASEAN, as well as the emergence of new regional actors, such as think tanks and civil society. ASEAN policies which are stimulated by democratization and non-state actors are meant to ensure that regional processes reflect the aims for democratization, which have been expressed by state leaders at the national level, and that regional processes similarly take account of views expressed by non-state actors. In this regard, it would seem that state interests remain the same, in terms of strengthening ASEAN vis-à-vis external relations, but that they have changed in terms of ASEAN's internal

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<sup>64</sup> For literature on new security threats to ASEAN, see, for example, Amitav Acharya, *A New Regional Order in Southeast Asia: ASEAN in the Post-Cold War Era* (London: Brassey's for the International Institute for Strategic Studies, 1993); Mely Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: Institute of Southeast Asian Studies, 2005); Michael B. Yahuda, *The Post-Cold War Order in Asia & The Challenge to ASEAN* (Singapore: Institute of Southeast Asian Studies, 2006).



relations. The reasons for this change are analysed in chapter five of this thesis. Briefly, they include two developments. First, the global trend on increasing civil society activism. Second, the emergence of civil society activism in some ASEAN member states (i.e. Indonesia, Malaysia, the Philippines and Thailand), which contributed to their support for participatory regionalism and recognition of issues that have been highlighted by civil society. Other ASEAN member states are less willing to support participatory regionalism and can either veto the process or be persuaded to compromise. Thus, the role of civil society in regionalism is a contentious issue, and a problematic one in the realization of a regional community.

ASEAN community building prioritizes old regionalism in terms of political-security and economic cooperation; at the same time, it limits new regionalism to functional cooperation on new security issues, such as the environment, and aims to include all sectors of society in development, under the ASEAN Socio-Cultural pillar. Given the predominance of old regionalism, the aims for an ASEAN Community, as stated in the Declaration of ASEAN Concord II, are very similar to many of the previous statements on the purpose of ASEAN. According to the Declaration of ASEAN Concord II, ASEAN community building comprises three pillars:

political and security cooperation, economic cooperation, and socio-cultural cooperation that are closely intertwined and mutually reinforcing for the purpose of ensuring durable peace, stability and shared prosperity in the region.<sup>65</sup>

Each of the three pillars is elaborated as follows. The ASEAN Security Community (ASC), later renamed the ASEAN Political-Security Community (APSC), is intended “to bring ASEAN’s political and security cooperation to a higher plane to ensure that countries in the region live at peace with one another and with the world at large in a just, democratic and

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<sup>65</sup> ASEAN Secretariat, “Declaration of ASEAN Concord II” (Bali Concord II), Bali, 7 October 2003, <http://www.aseansec.org/15159.htm> [accessed on 20/01/11].

harmonious environment.”<sup>66</sup> This is significant in showing that ASEAN member states have apparently moved towards the homogenization of political systems through democratization. With regard to progress in the economic dimension of ASEAN, ASEAN’s founding document declared the aim to accelerate economic growth and to promote economic cooperation. In comparison to these broad aims, which were underpinned by individual states’ economic interests, the ASEAN Economic Community (AEC) marks a significant leap in ASEAN regionalism. The AEC aims for “the end-goal of economic integration as outlined in the ASEAN Vision 2020, to create a stable, prosperous and highly competitive ASEAN economic region in which there is a free flow of goods, services, investment and a freer flow of capital, equitable economic development and reduced poverty and socio-economic disparities in year 2020.”<sup>67</sup> Finally, the ASEAN Socio-Cultural Community (ASCC) is significant in demonstrating the shift towards a “tightly-coupled security community” and new regionalism, by expanding regional cooperation to new security issues and seeking to involve all sectors of society in development.<sup>68</sup>

In practice, community building is a complete departure from previous ASEAN regionalism in that it does not only advocate the harmonization of external norms and principles, but also internal norms and principles, which are described by the scholar Tsutomu Kikuchi in the table below.

Table I: External and Internal Norms/Principles<sup>69</sup>

External Norms and Principles	Internal Norms and Principles
Sovereignty	Democracy, Human Rights
Non-Intervention in internal affairs	Harmonization of domestic institutions
Different nation-building processes	Good governance
State security	Human security

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

<sup>69</sup> Tsutomu Kikuchi, “East Asia’s Quest for a Regional Community,” *Policy and Society* 25, No. 4 (2006): 26.

In their statements on the ASEAN Community, ASEAN member states touched on issues which would involve domestic political reform, such as democracy and human rights. In doing so, they increased the stakes on their individual and collective credibility, should they fail to make progress on such reforms. Within ASEAN, democratization and human rights have traditionally been difficult to implement due to the presence of authoritarian or semi-democratic states, with a highly centralized political system and limited freedom for political expression. Although some ASEAN member states, such as the Philippines and Thailand, did introduce some political reforms to facilitate democratization and implementation of human rights, they are still confronted with internal political challenges, for example, domestic violence resulting from political polarization. Moreover, when it is only some ASEAN member states that pursue democratization, Southeast Asia will remain a politically diverse region, which will be confronted with the same old problems arising from political diversity.

During the Cold War, Southeast Asia's political diversity divided the region into opposing blocs; in the post-Cold War period, political diversity made it difficult to reach an agreement on regional norms, especially with regard to civil society.<sup>70</sup> ASEAN is characterized by different political systems, ranging from an authoritarian system ruled by the military junta in Myanmar, to a democratic system ruled by an elected government in Indonesia. ASEAN member states which tend toward an authoritarian system will oppose the introduction of new regional norms to promote more democratic regional processes, or regional processes which include civil society's participation, while ASEAN member states which tend toward a democratic system will be more supportive of meetings with civil society. In this regard, the significance of civil society in regionalism indicates progress in

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<sup>70</sup> Aileen San Pablo-Baviera, "Regionalism and community building in East Asia: challenges and opportunities," in *Advancing East Asian Regionalism*, edited by Melissa G. Curley and Nicholas Thomas (London: Routledge, 2007), 240-241.

community building, in terms of states' agreement to pursue common political practices, which implies converging interests.

Southeast Asia is not only characterized by different political systems, but also by different economic capacities, which affects individual countries' regime security, and which can also have an impact on bilateral relations, and the extent to which individual countries can commit to an ASEAN Community. Different economic capacities lead to weak economic cohesion, or lack of economic complementarities among ASEAN member states, which makes them economic competitors rather than economic partners.<sup>71</sup> The extent of the difference in economic capacities, or the gap in economic development among ASEAN member states, is shown in the table below.

Table II: Gross Domestic Product (GDP) of ASEAN Member States (US\$ million) in 2008<sup>72</sup>

Brunei Darussalam	14,147
Cambodia	11,082
Indonesia	511,174
Laos	5,289
Malaysia	222,674
Myanmar	27,182
Philippines	166,773
Singapore	184,120
Thailand	273,666
Vietnam	90,701

Domestic politics and a state's economic capacity are two factors which determine whether or not a particular state is weak, and if analysis shows that one or more regional states are weak, this will also impose restrictions on community building. Indeed, Christopher Roberts argues that divergent political values and weak states are the main challenges to ASEAN community building. Roberts adopts Georg Sorensen's definition for weak states, according

<sup>71</sup> Jenina Joy Chavez, "Regionalism beyond an elite project: the challenge of building responsive sub-regional economic communities," in *Advancing East Asian Regionalism*, edited by Melissa G. Curley and Nicholas Thomas (London: Routledge, 2007), 16-165.

<sup>72</sup> ASEAN Secretariat, "ASEANstats," <http://www.aseansec.org/22122.htm> [accessed on 20/01/11].

to which weak states are those with gaps in any of the following three areas: (1) a security gap where the state is unwilling or unable to maintain basic order (the protection of citizens within its territory); (2) a capacity gap where the state is either unwilling or unable to provide basic social services and values, such as welfare, liberty and the rule of law; and (3) a legitimacy gap where the state offers little or nothing to its citizens, and receives no support in return.<sup>73</sup> Roberts argues that weak states, such as Myanmar, undermine regional cohesion, while divergent political values produces divisions on the nature and extent of ASEAN member states' regional cooperation.<sup>74</sup> This thesis demonstrates how all three kinds of weak states restrict community building, as shown in bilateral relations and the significance of civil society participation. The first kind of weak state with a security gap, or one which perceives/constructs a security gap, restricts community building, as it may choose to strengthen regime security by depicting neighboring countries as a security threat, and thus justify its monopoly on power for national defense. Weak states with a capacity gap, especially in terms of democratization and the provision of space for civil society to articulate its interests, restrict community building by excluding or marginalizing society from regional processes. Finally, weak states which lack legitimacy will be preoccupied with regime security and may be unwilling or unable to provide credible long-term commitment to community building. Thus, the internal characteristics of a state affect both the quality of intra-regional relationships (i.e. bilateral relations) and the quality of the involvement of civil society in the community building process. The reason for which the internal characteristics of states was not chosen as an independent variable for this thesis, and that bilateral relations and civil society were chosen instead, is because the latter pair provide a bigger picture of a regional community, in terms of its building blocks and wider social dimension.

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<sup>73</sup> Christopher Roberts, "ASEAN Institutionalisation: The Function of Political Values and State Capacity," *RSIS Working Paper* No. 217 (Singapore: S. Rajaratnam School of International Studies, 8 December 2010): 3; Georg Sorensen, "After the Security Dilemma: The Challenges of Insecurity in Weak States and the Dilemma of Liberal Values," *Security Dialogue* 38 (2007): 365-366.

<sup>74</sup> Roberts, "ASEAN Institutionalisation," 1-23.

### **III. Bilateral Relations and Civil Society**

This thesis has chosen two independent variables, bilateral relations and civil society, to evaluate the dependent variable of ASEAN community building for the following reasons. In accordance with a New Regionalism Approach (NRA), the two independent variables enable one to analyze community building from both material and ideational factors, as well as to analyze the role of both state and non-state actors, namely, civil society. Bilateral relations include material factors in terms of security threats along the border, and economic incentives for expanding bilateral cooperation. Bilateral relations also include ideational factors in terms of states' differentiation of each other as enemies through historical narratives and public statements, as well as their attempts to reverse differentiation through joint cultural activities. With regard to civil society, there is the material factor of states' capacity versus civil society's capacity in terms of resources and outreach, and the ability to initiate change in ASEAN regionalism. As for ideational input, civil society seek to raise awareness on international norms, especially in the area of human rights, and to promote these norms as part of ASEAN regionalism. Thus, an analysis on the significance of civil society demonstrates the extent to which "new regionalism" processes have overcome the constraints imposed by "old regionalism"; while bilateral relations demonstrates the extent to which "old regionalism" processes still hold back progress towards "new regionalism" and an ASEAN Community.

#### *Bilateral Relations*

Policy-makers in both Europe and Southeast Asia expected regional community building to improve bilateral relations; however, this thesis proposes another correlation between the two, whereby critical bilateral relations can seriously hamper the community

building process. With regard to Europe, the establishment of a European Coal and Steel Community (ECSC) in 1951 was intended to pool France and Germany's war resources, in order to prevent them from going to war. Moreover, the ECSC also included a High Authority, or a council to ensure that all parties comply to the founding treaty. Cooperation and the emergence of a working relationship in one sector was seen as the first step to help overcome bilateral conflicts, and was expected to spread to other sectors over time.<sup>75</sup> With regard to ASEAN, Declarations and statements on an ASEAN Community indicate that policy-makers similarly expected the community building process to improve bilateral relations. According to the Declaration of ASEAN Concord II (Bali Concord II), the community building process is intended to nurture a "habit of consultation" and to promote "political solidarity" among ASEAN member states, as a basis for sustainable economic development.<sup>76</sup> Moreover, community building also aims to institutionalize "the renunciation of the threat or the use of force" and the "peaceful settlement of differences and disputes."<sup>77</sup> Political solidarity may be achieved vis-à-vis countries outside the region to secure ASEAN member states' interests as a whole. Moreover, political solidarity may also be achieved within the region if ASEAN member states reverse differentiation of each other, and promote assimilation into a regional community, with a shared identity, as well as manage, and/or resolve bilateral conflicts. However, political solidarity cannot be achieved within the region if they continue to differentiate each other as security threats, and on-going bilateral conflicts have the potential to escalate into violent confrontation.

Efforts to reverse differentiation, and to promote assimilation, may be difficult, given that Southeast Asia has traditionally been described as a divided region, and as one

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<sup>75</sup> Martin J. Dedman, *The Origins and Development of the European Union 1945-95: A History of European Integration* (London: Routledge, 1996).

<sup>76</sup> ASEAN Secretariat, "Declaration of ASEAN Concord II."

<sup>77</sup> Ibid.

characterised by regional distrust and tensions.<sup>78</sup> In 1966, Lee Kuan Yew, former Prime Minister of Singapore, made an observation on Singapore's situation, which is equally valid for Southeast Asia today. He observed that

The strangest thing about countries is: your friends are never your immediate neighbours! They get too close and your neighbour's hedge grows and infringes on your part of the garden and the branch of his fruit tree covers your grass and your roses do not get enough sunshine and so many things happen! And therefore our best friends, as has happened with so many other countries, are those who are farther afield and with whom we can talk objectively.<sup>79</sup>

For example, the Philippines and Thailand relied more on cooperation with the US during the Cold War, than on cooperation with other Southeast Asian countries. Neighbouring countries may be averse to bilateral cooperation due to deeply embedded negative historical stereotypes. Such stereotypes have traditionally resulted in distrust, and even hatred, which makes it difficult to improve bilateral relations between immediate neighbours, and to cultivate political solidarity. This was particularly the case during the Cold War between neighbouring countries which were supported by different major powers (e.g. Vietnam was supported by the Soviet Union and the People's Republic of China, while Thailand and the Philippines were supported by the US). Towards the end of the Cold War, Sino-American rapprochement, the West's withdrawal from Southeast Asia, and rapid domestic economic growth, opened up opportunities for new policies; for example, Thai Prime Minister Chatchai Choonhavan's (1988-1991) policy to reverse differentiation of Indochinese countries, and to instead promote economic cooperation with them.<sup>80</sup> Thus, international and domestic dynamics affect the view of state leaders, who then decide to pursue policies which

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<sup>78</sup> Guy J. Pauker, "Southeast Asia as a Problem Area in the Next Decade," *World Politics* 11, No. 3 (Apr., 1959): 323-345; Milton Osborne, *Southeast Asia: An Introductory History*, 10<sup>th</sup> edition (Australia: Allen & Unwin, 2010); Susilo Bambang Yudhoyono (President of the Republic of Indonesia), "Repositioning ASEAN in New World Order," *The Straits Times*, 24 February 2011, <http://www.aseancivilsociety.net/en/news/opinioneditorial/item/32-repositioning-asean-in-new-world-order> [accessed on 11/11/11].

<sup>79</sup> Quoted in Ba, *[Re] Negotiating East and Southeast Asia*, 51.

<sup>80</sup> Chris Baker and Pasuk Phongpaichit, *A History of Thailand* (Cambridge: Cambridge University Press, 2005).



have a negative or positive impact on intra-regional relations, and which restrict or promote political solidarity, and progress towards a regional community.

An analysis of bilateral relations reaffirms the importance of state leaders in promoting assimilation, political solidarity and a collective identity. Previous studies which emphasize the importance of state leaders in bilateral relations include Meg Curry's analysis on bilateral relations between Australia and India. Curry identifies three factors which promote an active, mutually beneficial bilateral friendship: shared interests, a sense of shared history and the leadership's political will to cultivate close relations.<sup>81</sup> However, shared interests in, for example, economic cooperation, or a sense of shared history, are not enough to cultivate close relations, if the leaders of two countries choose to initiate, and to maintain, a discourse which differentiates the other as a security threat. For this reason, the leadership's political will to cultivate close relations is arguably the most important factor to promote friendly bilateral relations. After all, it is political leaders who choose to identify, and to articulate, shared interests and a sense of shared history; and political leaders who continue, or initiate, policies to promote bilateral cooperation. If bilateral relations within a region are improved, this would demonstrate the strengthened intra-regional web of relations which form a regional community, and thus indicate progress in regional community building.

Finally, bilateral relations are an important indicator for progress in regional community building, since they demonstrate the extent to which countries within the region are willing to cooperate with each other on an expanding number of issues: the wider and deeper the bilateral cooperation within a region, the stronger the bilateral relationships, and the stronger the intra-regional bonds which make up a regional community. As explained by Mohamad Ghazali Shafie, former Foreign Minister of Malaysia:

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<sup>81</sup> Meg Curry, "Leadership and Bilateral Relations: Menzies and Nehru, Australia and India, 1949-1964," *Pacific Affairs* 65, No. 4 (1992/1993): 510-526.

Projects under ASEAN (and other regional bodies) are generally limited in scope and necessarily restricted to the lowest common denominator which is acceptable to all member countries... The limitation of regional cooperation within a formal framework should not prevent countries of the region from trying to forge the closest possible links on a bilateral basis with one another. It may be, for example, that country X would be willing to establish such links on specific subjects and would be prepared to engage in consultations including exchange of information, etc., with country Y which she might not consider either appropriate or necessary to have with some other third country on a multilateral basis. Such bilateral contracts on any subject and at whatever level which may be mutually acceptable should be pursued as far as possible. In this way, an important criss-crossing network of bilateral links will be established between and among the countries of Southeast Asia.<sup>82</sup>

Expanded areas of cooperation at the bilateral level facilitate the expansion of areas of cooperation at the regional level, and thus facilitate progress from “old regionalism” towards “new regionalism” and a regional community.

On the other hand, the nature of bilateral relations, especially bilateral tensions and conflicts, can also restrict progress towards a regional community. For example, military clashes along the Thai-Cambodian border, which occurred as recently as May 2011 indicate that ASEAN member states still pose a security threat to each other. Before the clashes took place, there were preparations for the use of force on both sides of the border. This undermines the aim of ASEAN member states to realize an ASEAN Political-Security Community, and demonstrates the intra-regional gaps to their aim of cultivating regional solidarity. When asked about the impact of the Thai-Cambodian conflict on ASEAN community building, Marty Natalegawa (Indonesia Foreign Minister and ASEAN Chairman in 2011) stated: “I think, in the short term, my answer would be it is troubling, it is creating special challenges for ASEAN.”<sup>83</sup> The Thai-Cambodian conflict not only undermines the aim to realize an ASEAN Political-Security Community, but also the aim to realize an ASEAN

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<sup>82</sup> Mohamad Ghazali Shafie, *Malaysia: International Relations* (Kuala Lumpur: Creative Entreprises, 1982), 161-162.

<sup>83</sup> Quoted in The Philippine Star, “Thai-Cambodian border dispute may hinder ASEAN Community,” 11 April 2011, <http://www.philstar.com/Article.aspx?articleId=675470&publicationSubCategoryId=200> [accessed on 03/07/11].

community as a whole. As stated by Philippine President Benigno Aquino, “how can we have one ASEAN, one family, if we have two major components who cannot solve their problems?”<sup>84</sup> This is one example of how critical bilateral relations can significantly restrict progress towards a regional community.

The first half of this thesis focuses on such critical bilateral relations, to evaluate ASEAN’s progress in regional community building; more specifically, it analyses the extent of the shift from differentiation to assimilation in Thailand’s bilateral relations. Both the processes of differentiation and assimilation are based on identification of the other, which has traditionally been the task of the state, and constitutes its authority.<sup>85</sup> Identification of the other is flexible, and adaptable to changing domestic and international dynamics. As commented by Emmanuel Levinas: “the other is the neighbour, who is not necessarily kin, but who can be.”<sup>86</sup> Moreover, identification of the other is neither set in stone, nor a matter of black or white, but rather “a continuum from negative to positive from conceiving the other as anathema to the self to conceiving it as an extension of the self.”<sup>87</sup> Negative identification of the other, especially as an external security threat, constitutes differentiation, and restricts the emergence of a community “we feeling” and a collective identity. Social psychologists explain that

differentiation arises between ourselves, the we-group, or in-group, and everybody else, or the other-groups, out-groups. The insiders in a we-group are in a relation of peace, order, law, government, and industry to each other. Their relation to all outsiders, or other-groups, is one of war and plunder, except so far as agreements have modified it.<sup>88</sup>

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<sup>84</sup> Quoted in Arlina Arshad, “ASEAN integration message lost on Thai-Cambodian border,” *Agence France Presse*, 5 May 2011, <http://www.abs-cbnnews.com/-depth/05/08/11/asean-integration-message-lost-thai-cambodia-border> [accessed on 03/07/11].

<sup>85</sup> Neumann, “Self and Other in International Relations,” 147.

<sup>86</sup> Sean Hand, ed., *The Levinas Reader* (Oxford: Blackwell, 1989), 294.

<sup>87</sup> Wendt, “Collective Identity Formation and the International State,” 386; Neumann and Welsh, “The Other in European Self-Definition,” 331.

<sup>88</sup> Michael A. Hogg and Dominic Abrams, *Social Identifications: A Social Psychology of Intergroup Relations and Group Processes* (London: Routledge, 1988), 17.

For political theorists, “others” are created as the external antagonist against which internal identity is mobilized.<sup>89</sup> The differentiation of others tends to take place during the process of consolidating the nation-state, when political leaders define national identity, in relation to others. Moreover, differentiation of others is also pursued by political leaders, who seek to maintain power by portraying an external security threat, and their ability to confront it, and to protect national security. Thus, the use of differentiation may be exploited for domestic political gains, and, as such, restrict progress in regional community building.

Liberalists, such as John Oneal and Bruce Russett, argue that economic interdependence promotes peace, and, by implication, the reversal of differentiation; however, other international relations (IR) theorists, such as Charles Kupchan, point to the limitations of economic interdependence, and instead emphasize the importance of political reconciliation, which can gradually lead to assimilation.<sup>90</sup> According to Kupchan, stable peace breaks out through a four-phase process, which begins with political reconciliation.<sup>91</sup> This first phase of political reconciliation occurs through an act of unilateral accommodation, that is, a state seeks to remove one source of its insecurity by exercising strategic restraint and making concessions to an adversary. Such concessions are conceived as a peaceful gesture to indicate benign, as opposed to hostile intent. The second phase in cultivating stable peace is reciprocal restraint. This is when states trade concessions and consider the prospect of cooperation, rather than competition and rivalry. Cooperation preceded by political reconciliation is expected to gradually lead to demilitarized relations, which is indicated by undefended borders and/or the redeployment of forces from contested areas, the absence of war plans against one another, and evidence that the elite, and the general public have come

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<sup>89</sup> Simon Dalby, *Creating the Second World War: The Discourse of Politics* (London: Guildford Press, 1990), 4.

<sup>90</sup> Bruce Russett and John Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organizations* (New York: Norton, 2001); Charles A. Kupchan, *How Enemies Become Friends: The Sources of Stable Peace* (Princeton: Princeton University Press, 2010).

<sup>91</sup> Kupchan, *How Enemies Become Friends*, 6.

to see war among the parties in question as extremely remote, if not outside the realm of the possible.<sup>92</sup> The third phase towards stable peace is reflective of progress from “old” to “new regionalism,” since it involves the deepening of societal integration among the states concerned. This is indicated by increasing international transactions, and more extensive contacts among the elites, as well as ordinary citizens. Interest groups that benefit from closer relations are expected to begin investing, and lobbying, for the further reduction of political and economic barriers, thereby adding momentum to the process of reconciliation and reversing differentiation. The fourth phase involves constructivist processes, through the generation of new narratives and identities. This is when states adopt a new domestic discourse, which reverses differentiation of the other, and promotes assimilation through a communal identity, and a sense of solidarity.<sup>93</sup> This new discourse emerges through elite statements and popular culture, such as the media and literature. Kupchan’s four-phase process for peace is useful for evaluating the progress from “old” to “new regionalism,” since it includes both state and non-state actors, as well as security cooperation and efforts to promote assimilation.

The act of assimilation is significant for promoting solidarity as part of a regional community, as well as for maintaining security and international order. In the late 1970s, scholars of the English School of International Relations, such as Martin Wight, highlighted the role of solidarity in maintaining stability between states in an international system; moreover, Hedley Bull also suggested that international order is more likely to develop if states share an “international political culture.”<sup>94</sup> Assimilation has both institutional and socio-cultural determinants. Institutional support for assimilation is provided by the state,

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<sup>92</sup> Ibid., 30.

<sup>93</sup> For literature on the reversal of differentiation, and the promotion of peace through a communal identity, see, for example, Bruce Conin, *Community Under Anarchy: Transnational Identity and the Evolution of Cooperation* (New York: Columbia University Press, 1977), 316-317.

<sup>94</sup> Martin Wight, *Systems of States* (Leicester: Leicester University Press, 1977), 33; Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977), 316-317.

while socio-cultural support is provided by the media, and its influence on social attitudes and perceptions towards another country. One would expect that, the greater the degree of interdependence between two countries, the greater the incentive for them to promote closer relations through assimilation. However, interdependence may be asymmetrical, whereby one country is more dependent on the other, for example, as indicated by trade. As such, two countries may demonstrate symmetric or asymmetric support for assimilation. For example, one country may issue more statements and organize more activities to promote assimilation. Symmetric and asymmetric support produces three possible scenarios: low support for assimilation on both sides (low-low), high support for assimilation on both sides (high-high), or asymmetric support (low-high). The best scenario for community building would of course be high support for assimilation on both sides. This is more likely to take place between countries where there are strong political institutions and consistent foreign policies that govern bilateral relations. Such a situation is likely to produce stable bilateral relations, whereby both sides feel secure in developing their bilateral relationship. However, if the two countries have weak political institutions and pursue inconsistent foreign policies, personal relations between state leaders, rather than political institutions, will likely play a more prominent role in the bilateral relationship. As a result, the bilateral relationship is vulnerable to domestic politics, and to the use of differentiation in foreign policy for domestic political gains. Thus, bilateral relations are an indicator for regional community building, based on the extent to which the aim to promote solidarity is pursued in foreign policy at the bilateral level, and the extent to which there is a shift from differentiation to assimilation.

This thesis focuses on Thailand's bilateral relations, since they arguably constitute the most difficult case for progress along the "old regionalism" – "new regionalism" sliding scale, and are thus the most problematic for regional community building. While bilateral relations between Indonesia and Malaysia have traditionally been viewed as the conflicting

dyad in ASEAN regionalism, and while these two countries seem to move from one diplomatic spat to another, this thesis will not focus on them for the following reasons. First, their diplomatic spats have not resulted in violence, unlike, for example, Thailand and Cambodia's territorial dispute over Preah Vihear Temple, which resulted in an exchange of fire across the disputed area in February and May 2011. Second, Indonesia and Malaysia are both founding members of ASEAN, and have been proactive in the promotion of community building activities; most notably, Indonesia proposed the establishment of an ASEAN Security Community, and Malaysia hosted the first ASEAN Civil Society Conference, or meeting between ASEAN leaders and representatives of civil society. These actions demonstrate that they are committed to realizing an ASEAN Community, and imply that they would not allow any bilateral conflicts to get in the way. In contrast, if one looks at another pair of Thailand's bilateral relations, such as that between Thailand and Myanmar, or a founding member and a new member of ASEAN, one finds that the importance they give to ASEAN is different. Thailand, as a founding member, has promoted the consolidation of ASEAN through discussions on an ASEAN Free Trade Area (AFTA) in 1992, and initiated an ASEAN People's Forum in 2009, as a platform for civil society within the region to brainstorm proposals before the ASEAN Civil Society Conference. On the other hand, Burmese academics abroad note how the Burmese military regime's enthusiasm for ASEAN has decreased since the late 1990s, because they found that ASEAN was not as good a shield against the international community as China and Russia; moreover, Burmese academics note that Burmese generals have been disappointed with ASEAN for not supporting them all the way.<sup>95</sup> The Burmese regime's different level of commitment to ASEAN, compared to ASEAN's founding members, is mainly due to its tendency to be inward looking, and its preference to maintain the status quo, both at the national and regional level, which means

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<sup>95</sup> Tin Maung Maung Than (Senior Fellow at the Institute of Southeast Asian Studies (ISEAS), Singapore), interview by author, note taking, ISEAS, 23 June 2010; Maung Zarni (Lecturer at the London School of Economics and Political Science), interview by author via phone, note taking, 4 August 2010.

that it is averse to adopting new values and norms.<sup>96</sup> This resistance to change, especially the Burmese regime's crackdown on political dissidents in September 2007, have strained Myanmar-ASEAN relations, as well as Myanmar-Thailand relations, when Thailand was ruled by the Democrat Party.<sup>97</sup> In this light, the issue of Myanmar is significant for an evaluation of ASEAN's progress in community building; Myanmar-Thailand relations are also significant since Thailand, under the leadership of the Democrat Party, has promoted ASEAN's engagement with Myanmar, and thus promoted Myanmar's socialization into an ASEAN Community. The third reason why this thesis is focusing on Thailand's bilateral relations is due to the deeply embedded nature of Thailand's political crisis, such as the southern conflict, which is difficult to resolve, and which has had a negative impact on Thai-Malaysian relations. Finally, this thesis will focus on Thailand, due to its importance as an ASEAN member that is situated on the boundary between the "old" and "new" ASEAN, and so has disproportional impact after ASEAN expansion in facilitating or hindering access to new members by land, or a disproportional impact on regional connectivity, as well as a disproportional impact on the expansion of ASEAN identity to new member states.

Existing research on bilateral relations within ASEAN also point to Thailand's bilateral relations as problematic, and include analyses on differentiation, as well as other issues, in the form of bilateral disputes.<sup>98</sup> Differentiation is based on historical narratives and the historical legacy of colonization, as well as ethno-religious differences. Two scholars, Narayanan Ganesan and Ramses Amer, identified differentiation in the following sets of bilateral relations within ASEAN: Cambodian-Vietnamese, Thai-Burmese, Thai-Cambodian,

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<sup>96</sup> Ibid.

<sup>97</sup> See, for example, Barry Desker (Dean of the S. Rajaratnam School of International Studies, Singapore), "ASEAN: Time to Suspend Myanmar," 4 October 2007; "ASEAN Chairman's Statement on Myanmar," Ministry of Foreign Affairs of Thailand, 19 May 2009, <http://www.aseansec.org/PR-ASEANChairmanStatementonMyanmar.pdf> [accessed on 18/01/12].

<sup>98</sup> See, for example, Ganesan, "Bilateral Tensions in Post-Cold War ASEAN"; Ganesan and Amer, eds., *International Relations in Southeast Asia*.



Thai-Malaysian, and Singapore-Malaysian relations.<sup>99</sup> Out of these five sets of bilateral relations, Singapore-Malaysian relations can be very tense at times; however, it is the least likely to provoke conflict due to Singapore's substantial reliance on Malaysia for food and water.<sup>100</sup> Three out of the four remaining sets of bilateral relations all involve Thailand, which implies that Thailand's bilateral relations constitute the major obstacle to progress in regional community building.

In addition, Thailand's bilateral relations constitute difficult cases for regional community building for the following reasons. Differentiation between Thailand and its neighbours is deeply rooted in the political construction of national identity and historical narratives, and worsened by on-going border disputes, as well as the historical legacy of colonisation. Given that differentiation is deeply rooted in the socio-political structures governing bilateral relations, it is convenient for state leaders to pick up this issue and to highlight it for domestic political gains. Nevertheless, there have been efforts by successive Thai governments to reduce differentiation and to promote friendly bilateral relations. The most significant effort to reverse differentiation occurred under the premiership of Chatichai Choonhavan (1988-1991). Upon assuming the premiership, Chatichai announced a new Indochina policy, which sought to downplay Vietnam as an external security threat, and to portray Vietnam as an ally in the economic transformation of Indochina. Vietnam was formerly perceived as a security threat, firstly, because of its potential to spread communism to the rest of Southeast Asia; and, secondly, because of its invasion and occupation of Cambodia in 1978. In any case, both of these threats were resolved in the post-Cold War period, which also saw an improvement in Thai-Vietnamese relations, and greater

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<sup>99</sup> Ibid.

<sup>100</sup> Ganesan, "Bilateral Tensions in Post-Cold War ASEAN," 36.

cooperation between the two countries.<sup>101</sup> In contrast, Cambodia, as well as Myanmar, posed external security threats into the post-Cold War period. Moreover, Thailand's southern neighbour, Malaysia, also posed external security threats during and after the Cold War. This thesis will analyse Thailand's bilateral relations with all of these countries in order to evaluate the extent to which state leaders have been successful in reversing differentiation, and promoting assimilation, and, thus, the extent to which a sample of ASEAN member states have contributed to progress in ASEAN community building.

### *Civil Society*

Civil society is a good variable for testing ASEAN's progress in regional community building since it indicates the extent to which regionalism has expanded to non-state actors, or the extent of participatory regionalism. Moreover, the significance of civil society in regionalism indicates the extent to which non-state actors have been able to participate in, and to influence the traditional state-led regional discourse and regional policy. This can be measured by the extent to which states recognize and discuss civil society's proposals, and the extent to which these proposals are made into policy. Civil society's proposals are based on their communications and activities with local communities, which include raising awareness on the states' regional agenda, discussing its implications and brainstorming alternative proposals in cases where a negative socio-economic impact is identified. Civil society not only raises regional awareness through local activities, but also through the creation of horizontal linkages with other civil society throughout the region to exchange ideas for capacity building programs, such as policy research, as well as to exchange ideas for the development of a common regional agenda for advocacy, which they can then use to

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<sup>101</sup> See Nguyen Vu Tung, "Vietnam-Thailand Relations after the Cold War," in Narayanan Ganesan and Ramses Amer, eds., *International Relations in Southeast Asia: Between Bilateralism and Multilateralism* (Singapore: Institute of Southeast Asian Studies, 2010).

lobby state actors at both the national and regional level. Given that the role of civil society at both these levels is to a large extent controlled by states, one would expect any continuation or change in the extent of their role to also be determined by states. For this reason, an analysis on the significance of civil society in regionalism also requires an analysis on the motivations behind states' promotion or limitation of their role. Thus, by focusing on civil society as a variable, one can deduce both the extent to which regional states have progressed towards "new regionalism" and the extent to which civil society has facilitated and/or been able to build on this progress, as part of regional community building.

Participatory regionalism can be measured based on three indicators – public participation, availability of information, and public debate – which can all be seen as part of a spectrum. On one end of the spectrum is what I will call closed participatory regionalism, which is characterized by i) selected public participation that is limited to specific social groups, for example, students and pro-government CSOs; ii) availability of information on *fait accompli*, or official documents which have already been agreed on by state actors; iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are not given feedback or acted upon. On the other end of the spectrum is open participatory regionalism, which features i) open public participation, whereby anyone can participate; ii) availability of draft policies for feedback and voting; iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are given feedback and there is a negotiated outcome between state actors and CSOs.

According to a New Regionalism Approach (NRA), progress towards a regional community is not only indicated by states' expansion of regionalism to non-state actors, and non-state actors' efforts to participate in regionalism, but also by the expansion of regional cooperation beyond the traditional areas of security and economic development; more specifically, cooperation in more people-centred areas, such as the promotion of democracy

and human rights. Participatory regionalism already covers the promotion of democracy, or democratization, at both the national and regional level. This is because countries which are undergoing democratization, and which engage in consultations with civil society at the national level, are more likely to promote similar processes at the regional and international level, including participatory regionalism.<sup>102</sup> For this reason, there is no need to focus on the promotion of democracy again, when testing for the expansion of regional cooperation. Rather, one can just focus on the extent to which states' promotion of human rights, and the extent to which they enable civil society to participate in this promotion of human rights, indicate progress in regional community building. If states recognize the importance of initiating a regional human rights discourse and establishing a regional human rights institution, this demonstrates their preparedness to abide by a set of chosen values and norms, as well as their preparedness to identify themselves as part of a common regional entity to uphold them. Moreover, if states enable civil society to participate in the promotion of human rights, this further demonstrates progress in regional community building, based on both the emergence of new regional issues, as well as the emergence of a more socially inclusive regionalism.

Progress on human rights within ASEAN regionalism can be viewed as part of a spectrum, which I have created, based on inter-state and state-CSO cooperation in this area. This spectrum is composed of three factors: states' treatment of norms on human rights, states' discourse and policies on human rights, and the nature of agenda-setting and policy implementation. On one end of the spectrum, states recognize and promote norms on human rights, while maintaining the exclusively state-centred nature of agenda-setting and policy implementation. In practice, this situation is characterized by state-initiated regional institutions on human rights, which do not have the mandate to receive complaints on human

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<sup>102</sup> Amitav Acharya, "Democratization and the prospects for participatory regionalism in Southeast Asia," in Kanishka Jayasuriya, ed., *Asian Regional Governance* (London: RoutledgeCurzon, 2004), 140.

rights abuses, to investigate them, or to make provisions for CSOs' participation. Instead, they promote human rights without advocating political reform, for example, by raising awareness, and facilitating research and training on the protection of human rights. On the other end of the spectrum, states create incentives for norm-compliance, or disincentives for non-compliance; they promote, as well as protect human rights, and make provisions for CSO participation in agenda-setting and policy implementation. This situation is characterized by state-initiated regional institutions on human rights with the power to act as a regional police, which can investigate complaints from individual countries, and monitor and enforce human rights.<sup>103</sup> The extent of ASEAN's progress along this spectrum will be similar to the extent of progress along the sliding scale from "old" to "new regionalism", and thus indicate ASEAN's progress in community building.

Finally, civil society is a good variable for testing ASEAN's progress in regional community building, based on the success of transnational civil society networks (TCSN) in creating multi-level linkages between national, regional and international policies. The creation of multi-level linkages between the national and regional level consists of making the policies at these two levels compatible, and related to each other. Assuming that national policy over-rides regional policy, the more compatible these policies are, the more regional institutions are relevant for society at the national level, and the more such institutions will be supported by society, thereby consolidating regional awareness and a regional identity. In terms of multi-level linkages to international policies, TCSN seek to bring national and regional policies up to an international standard, and, in doing so, promote the harmonization of policies across all levels. Such harmonization of policies indicate progress in regional

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<sup>103</sup> Monitoring is defined as a "soft method" in the implementation of human rights, whereby a state reports on its human rights record and opens itself to comments by others. See Simon Tay, "Human Rights: ASEAN's Way Forward," *Singapore Institute of International Affairs*, 18 June 2008, <http://www.siiionline.org//q=programmes/commentary/human-rights-asean%E2%80%99s-way-forward> [accessed on 28/07/11].

community building, since it demonstrates that regional countries share common interests, which provide a basis for the development of regional discourse, regional policies, and a regional identity.

The extent to which TCSN are able to create multi-level linkages can be seen as part of a spectrum. On one end, civil society organizations (CSO) members of a TCSN raise awareness on local concerns or international trends, and agree on a common agenda for regional advocacy. On the other end of the spectrum, CSO members have strengthened themselves to the extent that they are able to act as epistemic communities, which are recognized by governments, and invited by governments to discuss new policies. An epistemic community is defined as “a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area.”<sup>104</sup> Such networks are expected to promote discussions and negotiations between states, and between states and TCSN on new policies to address regional problems. These discussions are expected to facilitate the convergence of interests, and the emergence of a common regional position to address regional problems, thereby contributing to progress in regional community building. Moreover, the new policies which result from these discussions should reflect multi-level linkages, that is, they should reflect both local preferences, and international trends and standards. Thus, the extent to which TCSN can create multi-level linkages and contribute to regional community building ranges from raising awareness and initiating common regional advocacy, to acting as an epistemic community and influencing new policies.

In summary, the section on civil society demonstrates how this thesis evaluates ASEAN’s progress in regional community building, based on the spectrum of participatory

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<sup>104</sup> Peter M. Haas, “Introduction: Epistemic Communities and International Policy Coordination,” *International Organization* 46, No. 1 (Winter 1992): 2-3.

regionalism, the significance of human rights and CSOs within ASEAN regionalism, and the extent of multi-level linkages created by transnational civil society networks.

#### **IV. Case Studies and Chapter Outlines**

This final section will now provide the case studies and chapter outlines for the remainder of this thesis, based on the justification and operationalization of variables provided in the previous section. The thesis adopts a two-pronged approach in its evaluation of ASEAN's progress in regional community building by testing the persistence of "old regionalism," as well as the emergence of "new regionalism." The first part of the thesis tests the persistence of "old regionalism" based on three case studies of Thailand's bilateral relations, while the second part tests the emergence of "new regionalism" based on three case studies of the significance of CSOs in ASEAN regionalism. The analyses build on secondary material, including academic research, newspapers, and related websites. Primary material for the analyses includes Foreign Ministry documents and interviews with diplomats, as well as civil society documents and interviews with members of civil society.

Chapter two evaluates ASEAN's progress in regional community building, based on the extent to which there has been a shift from differentiation to assimilation in Thai-Myanmar relations. The chapter identifies factors which motivate the reversal of differentiation, namely, the Thai government's pursuit of economic interests through bilateral trade and multilateral economic frameworks, as well as its aim to consolidate regime security by demonstrating regional leadership in economic development and community building. Conversely, factors which maintain differentiation in the bilateral relationship are also identified. These include Thailand's on and off support for the Burmese political opposition, cross-border problems, such as drug-trafficking, the presence of military troops in the border

area, as well as problems arising from Burmese political refugees and migrant workers. The chapter finds that underlying differentiation in the Thai-Myanmar relationship is maintained by history textbooks and popular culture. However, it also finds that these sources of differentiation have been identified by state actors as obstacles to improving bilateral relations, and, as a result, have stimulated initiatives for revised history, as well as efforts to raise public awareness and to promote public discussions on regional community building. Thus, there is not a lack of ideas and policies for reversing differentiation, but rather a lack of political incentives, as well as maintained bilateral tensions, due to Myanmar's domestic politics and border problems.

Chapter three analyses the difficulty in reversing differentiation of the other, and promoting assimilation, in the Thai-Cambodian bilateral relationship. The chapter acknowledges similarities between the Thai-Myanmar and Thai-Cambodian relationship, based on a historical legacy of differentiation, and apprehension over Thailand's hegemonic aspirations. Moreover, these two bilateral relationships also share similar variables for the reversal of differentiation, in terms of the Thai government's pursuit of economic interests, and its aim to demonstrate leadership in regional development and community building. However, despite these similarities, the Thai-Cambodian relationship is more problematic for regional community building, due to the internationalisation of Thai-Cambodian bilateral conflicts, the use of such conflicts for domestic political gains in both countries, as well as recent armed clashes, in 2011, in the contested border area. The internationalisation of bilateral conflicts reinforces differentiation, since it is no longer only targeted at a domestic audience, but also at the broader international community, in order to secure their political support for bilateral conflicts. Thus, progress towards assimilation is restricted by the linkage between political interests and bilateral conflicts, the internationalisation of these conflicts, and the militarisation of the border area.



Chapter four focuses on Thailand's southern conflict and state-centred differentiation in the Thai-Malaysian relationship. It identifies Thailand's domestic politics as the main source of differentiation for the following reasons. The Thai government's domestic policies have, to a large extent, fuelled the on-going conflict in southern Thailand, which has a historical legacy of producing differentiation in the Thai-Malaysian relationship. The reversal of differentiation resulting from this southern conflict began in the 1970s, when both the Thai and Malaysian governments were faced with a common threat, emanating from a communist insurgency in the border area. This common political and security threat created an incentive for bilateral cooperation against the communists, which subsequently paved the way for expanded bilateral cooperation, and closer bilateral relations. Following this successful cooperation against the communists, further incentives for the reversal of differentiation emerged, namely, an international trend towards economic integration, and prospects for promoting economic growth and stability in the border area. However, despite these incentives, the Thai-Malaysian relationship remained vulnerable to differentiation, due to the failure of Thai government policies to resolve the southern conflict, and the attempt to find a scapegoat, by externalizing the causes of the southern conflict to Malaysia. Most recently, Thai Prime Minister Thaksin Shinawatra (2001-2006) externalized the causes of the conflict, thereby proving, yet again, that differentiation in the Thai-Malaysian relationship persists because of Thailand's domestic politics, and, as such, undermines the process of regional community building.

Chapter five evaluates ASEAN's progress in regional community building, based on the significance of "new regionalism," as indicated by participatory regionalism.

Participatory regionalism is defined as the participation of civil society organizations (CSOs) in regional policy-making. The chapter finds that democratizing ASEAN member states promote participatory regionalism, as an extension of the process of democratization at the

national level, and their existing engagement with CSOs at this level. Conversely, the chapter finds that participatory regionalism is restricted by the less open and less democratic ASEAN member states, which seek to protect their regime security, and to maintain a purely state-centred form of ASEAN regionalism. Nevertheless, negotiated compromises between the more democratic and less democratic ASEAN member states have led to the inclusion of students and CSOs in ASEAN themed conferences. Most significantly, ASEAN leaders have been meeting with CSOs at the ASEAN Civil Society Conference since 2005, and enabled CSOs to present proposals on an ASEAN Charter. However, these proposals were not translated into policy, and there has been a lack of concrete outcomes from meetings between state leaders and CSOs. Thus, declarations to realize a people-oriented ASEAN Community appear to be rhetorical, due to the lack of substantive participatory regionalism.

Chapter six evaluates ASEAN's progress in regional community building, based on the extent to which human rights, and CSOs which work on human rights, have become part of ASEAN regionalism. The chapter identifies the external and internal factors, which motivated the emergence of a human rights discourse and human rights policies in ASEAN. These include pressure from the West's emphasis on democratization and human rights in their foreign policy, as well as the UN World Conference on Human Rights in 1993, and the resultant need for regional human rights mechanisms. Moreover, the process of democratization in ASEAN member states also motivated the emergence of human rights in ASEAN regionalism, as did the promotion of human rights policies by academia, CSOs, and National Human Rights Institutions. As a result, ASEAN member states gradually established an ASEAN Intergovernmental Commission on Human Rights (AICHR). AICHR institutionalised ASEAN member states' recognition and promotion of human rights norms. However, it maintains ASEAN member states' defensive mechanisms against external interference and their exclusive role in agenda-setting. Moreover, it does not provide for

investigations on human rights abuses, or sanctions against these abuses; nor does it provide for civil society participation. Thus, this chapter similarly demonstrates that ASEAN community building is empty in substance, due to the creation of a regional human rights body that is exclusively controlled by states and that lacks any power to protect human rights.

Chapter seven evaluates ASEAN's progress in community building, based on the extent to which transnational civil society networks (TCSN) have succeeded in creating multi-level linkages across the national, regional, and international levels, and thereby contributed towards an integrated region, with harmonized domestic and regional policies. The chapter focuses on ASEAN policies on rural development and food security, since these areas constitute new, non-traditional security issues for regional cooperation, and thus indicate progress along the sliding scale from "old" to "new regionalism." The chapter finds that TCSN have been active in raising social awareness of an ASEAN Community, especially in the rural communities. Moreover, TCSN have enabled these rural communities to become part of a larger regional network, which gives them more visibility vis-à-vis governments, and an opportunity to voice their preferences on regional policy. However, despite TCSN's efforts at social mobilization, their promotion of multi-level linkages, and an increase in regional policies on non-traditional security, they have thus far failed to influence ASEAN policies, for the following reasons. ASEAN member states remain averse to creating multi-level linkage, where there is a common, regional standard, and provisions for regional monitoring, due to their prioritization of regional unity. This means enabling each country to proceed at its own pace, in accordance to its own level of political development. Thus, there is a lack of substantive progress in ASEAN community building, due to the region's political diversity, and the prioritization of regional unity over the creation of new regional policies on non-traditional security, and provisions for civil society participation.

The chapters on bilateral relations and civil society evaluate different aspects of ASEAN's progress in regional community building. The former analyses the extent to which the "old regionalism" characteristic of security threats restricts progress towards the "new regionalism" characteristic of a shared sense of solidarity. On the other hand, the latter set of chapters analyses the extent to which "new regionalism" characteristics - namely, new regional actors, new regional issues for cooperation, and multi-level linkages - have overcome the constraints imposed by "old regionalism" and become significant in a new age of ASEAN regionalism towards a regional community. The thesis finds that ASEAN member states are still more inclined towards the "old regionalism" end of the spectrum, and that they have made significant progress towards "new regionalism," in terms of discourse, new institutions, and meetings with CSOs; but have made limited progress, in terms of policy implementation, the provision of a role for CSOs in regionalism, and the harmonisation of domestic and regional policies. Thus, ASEAN's progress in regional community building is more apparent in form, rather than in substance, and is more a continuation of the same old regional processes, rather than the consolidation of new ones, as concrete steps towards an ASEAN Community.

## **Chapter Two: The Perpetual Enemy and Inconsistent Foreign Policy in Thai-Myanmar Relations**

This chapter tests ASEAN's progress in community building based on the extent of the shift from differentiation to assimilation in Thai-Myanmar relations. Thai-Myanmar relations constitute a difficult case for community building, in terms of improving the quality of intra-regional relations and promoting assimilation into a regional community. This is due to a historical legacy of differentiation, and the tendency to continue this legacy, as a result of on-going bilateral tensions and problems. Differentiation has been perpetuated over the years due to weak political institutions and inconsistent foreign policies. On the Thai side, weak political institutions are indicated by the numerous military coups and change of government throughout the 20<sup>th</sup> century. The standard answer for the total number of military coups in the 20<sup>th</sup> century is 18, although alternative numbers have also been given by different scholars, depending on whether they count plots, attempts, and unsuccessful coups.<sup>105</sup> This high turnover rate of different Thai administrations has sometimes led to contradicting foreign policies, especially towards Myanmar, depending on whether state actors prioritize the pursuit of economic cooperation with countries, irrespective of their political system, or whether they prioritize the promotion of the international community's norm of democratization over close relations with undemocratic regimes. The resultant changing policies of successive Thai governments has contributed to unpredictable bilateral relations, which maintains distrust and the tendency to reproduce differentiation.

Myanmar's domestic politics also contributed to unpredictable bilateral relations during the Cold War, since there were periods when Burmese state actors sought to protect regime security by pursuing diplomatic relations, and other periods when they decided on

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<sup>105</sup> Nicholas Farrelly, "Counting Thailand's Coups," *New Mandala New Perspectives on Mainland Southeast Asia*, 8 March 2011, <http://www.asiapacific.anu.edu.au/newmandala/2011/03/08/counting-thailands-coups/> [accessed on 25/09/11].

isolation. Moreover, the Burmese government's repression of political dissidents, and consequent international pressure for reforms, also complicated ASEAN's position vis-à-vis Myanmar: on the one hand, ASEAN member states sought to maintain regional unity, on the other hand, they also sought to maintain international recognition and support for ASEAN. International recognition of an independent Myanmar can be traced back to 1948, when the first government was established after decolonization, with Sao Shwe Thaik as President and U Nu as Prime Minister. This government established diplomatic relations with Prime Minister Phibun Songkhram of Thailand in 1948. It was subsequently overthrown by a military coup in 1962, which was led by General Ne Win. Ne Win initially sought to protect regime security by pursuing an isolationist foreign policy. However, he resumed Myanmar's international relations in 1972, at a time when Myanmar's domestic economy and business climate was deteriorating, and a time when he urgently needed to consolidate his regime's security and legitimacy.

Almost 20 years later, Myanmar's international relations returned to a state of uncertainty when General Saw Maung staged a military coup in 1988. This coup established the State Law and Order Restoration Council (SLORC), which has since then been a concern of the international community for the following reasons: its suppression of political dissidents and human rights violations, including the house arrest of opposition leader Daw Aung San Suu Kyi of the National League for Democracy (NLD), as well as its refusal to accept the NLD's victory in the 1990 general elections. These actions led to condemnation by the international community, namely, the US and EU, which agreed to isolate SLORC by imposing economic sanctions. Moreover, the US and EU also agreed to suspend or cancel international assistance to Myanmar, in order to exert pressure for political reforms. ASEAN member states were initially hesitant and cautious in devising their approach to SLORC, given the position of Western countries on the one hand, and their aim to consolidate regional

solidarity on the other, as well as their principle of non-interference in another country's internal affairs. Ultimately, they decided to pursue diplomatic relations with the new Burmese government, and to accept Myanmar as a new ASEAN member state in 1997. They justified this policy as a demonstration of Southeast Asia's regional autonomy vis-à-vis the Western powers.<sup>106</sup> Moreover, they also reasoned that ASEAN provided the best channel for engaging with Myanmar and for checking Chinese influence in the region. On the part of Myanmar, efforts were made to demonstrate its legitimacy as a member of the international community. Most notably, SLORC was dissolved and replaced by the State Peace and Development Council (SPDC) in 1997: the year Myanmar was admitted into ASEAN. This change was interpreted by Myanmar observers as an attempt to appease ASEAN and the broader international community, by demonstrating that peace had been consolidated at the national level, and that the Burmese were now focused on national development and regional cooperation.<sup>107</sup> Moreover, the name change was also intended to demonstrate the Burmese government's readiness to proceed, albeit at its pace, to engage its opposition: the National League for Democracy, led by Daw Aung San Suu Kyi. However, it was not until November 2010 when national elections took place, and even then it was criticized by political dissidents in Myanmar and the international media as being a sham.<sup>108</sup>

Myanmar's domestic politics has been an international issue since 1988 and one which posed problems for ASEAN's relations with the West: this situation provided an incentive for the ruling Democrat Party in Thailand to propose a collective ASEAN approach to Myanmar in 1998, in order to influence political reforms. However, the proposal

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<sup>106</sup> See Ang Cheng Guan, "Myanmar: Time for a Unified Approach," *Security Dialogue* 32, No. 4 (2001): 467-480; Mann (Mac) Bunyanunda, "Burma, ASEAN, and Human Rights: The Decade of Constructive Engagement, 1991-2001," *Stanford Journal of East Asian Affairs* 2 (Spring 2002): 118-135.

<sup>107</sup> "Time will tell whether name change is for real," *The Irrawaddy* 5, No. 7 (December 1997), [http://www.irrawaddy.org/article.php?art\\_id=948](http://www.irrawaddy.org/article.php?art_id=948) [accessed on 23/09/11]; "Just As Ugly," *The Irrawaddy* 5, No. 7 (December 1997), [http://www.irrawaddy.org/article.php?art\\_id=973](http://www.irrawaddy.org/article.php?art_id=973) [accessed on 23/09/11].

<sup>108</sup> See, for example, Aljazeera, "Myanmar Elections 2010," <http://www.english.aljazeera.net/indepth/spotlight/myanmarelections2010> [accessed on 27/09/10].

demonstrated a preference by the majority of ASEAN member states to abide by the traditional norm of non-interference in another country's internal affairs, and worsened Thai-Myanmar relations. This promotion of a collective ASEAN approach to Myanmar was pursued by subsequent governments, led by the Democrat Party in Thailand, and contributed to the continuation of bilateral tensions and differentiation. Moreover, bilateral tensions and differentiation were also maintained by cross-border drug-trafficking, the presence of military troops in the border area, as well as problems arising from Burmese political refugees and migrant workers.

This chapter seeks to analyse, and to explain, the advances and limitations in reversing differentiation in Thai-Myanmar relations. It is divided into three sections. Section I analyses Thailand's differentiation for internal rather than external security, that is, the use of state-led discourse on differentiation to consolidate Thai nationhood at the national level, in contrast to the suspension of differentiation in state-to-state bilateral meetings, to communicate mutual recognition of each other's independence and nation-building efforts, as well as to identify areas of common interest for cooperation. Section II analyses on-going mutual differentiation, which includes the Burmese government's differentiation of its Thai counterpart, based on support for the Burmese opposition, as well as mutual differentiation resulting from cross-border drug-trafficking. Section III identifies incentives for reversing differentiation, such as economic interests and the aim to demonstrate regional leadership in community building. The chapter concludes that while there is still underlying differentiation, based on continued historical legacy, the school curriculum, and distrust in bilateral relations, there has also been increasing efforts to reverse differentiation, based on the aim to consolidate a regional community for security and economic interests, as well as collaboration between state and non-state actors. Thus, the incentive to promote community building at the state level exists; however, states appear to need more persuasion to replace



their legacy of instilling differentiation within society, with a new trend to promote assimilation into a regional community.

### **I. Thailand's Differentiation for Internal rather than External Security**

Differentiation of Myanmar became deeply embedded in the Thai political system since the 18<sup>th</sup> century, at a time when both countries' leaders fought to consolidate their kingdom, and Myanmar ultimately conquered the old Thai capital of Ayutthaya in 1767. Differentiation of Myanmar, based on reminders of this conquest, have repeatedly been used by Thai leaders whenever they judged that a rallying call of nationalist feelings would protect their political interests, or keep them in power to safeguard national security. The political elite's reference to past conquests by an external enemy led to the construction of Thai nationhood, based on differentiation of an aggressive other. This construction of "Thainess", and political statements on the urgency of protecting this "Thainess" against external security threats, was used by Thai leaders to maintain power and hegemony within the Thai state; and within the sub-region of Thailand, Myanmar, and the former Indochinese states of Cambodia, Laos and Vietnam.<sup>109</sup> The continued use of differentiation in state-led discourse on Thai nationhood has led to deeply embedded negative images of Thailand's neighbours within Thai society, which constitute a major obstacle to improving the quality of intra-regional relations, and to creating a community "we-feeling." Historians, political scientists, and the media all demonstrate the tendency of Thai leaders to reproduce differentiation, to the extent that it appears to have become a default, institutionalized policy, with detrimental impact on Thailand's bilateral relations.<sup>110</sup> The negative images produced by the state-led discourse on

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<sup>109</sup> See Chachavalpongpun, *A Plastic Nation*.

<sup>110</sup> See, for example, Somchoke Sawasdiruk, *Thai-Burmese-Karen Relations* (Bangkok: The Thailand Research Fund, 1997); Nakorn Punnarong, *Problems on Thai-Burmese Border* (Bangkok: The Thailand Research Fund, 1997); Pavin Chachavalpongpun, "Thailand-Myanmar Relations: Old Animosity in a New Bilateral Setting," in Narayanan Ganesan and Ramses Amer, eds., *International Relations in Southeast Asia: Between Bilateralism and Multilateralism* (Singapore: Institute of Southeast Asian Studies, 2010).

differentiation may change over time, but the intent to highlight a neighbouring external security threat remains, be it in the form of Myanmar as a past invader, a threatening socialist state during the Cold War, or, more recently, a country of origin for drugs.<sup>111</sup>

### *Thai Military Governments and Nation-Building (1930s-1950s)*

Current negative images of Myanmar can be traced back to the Thai military governments of Field Marshal Phibun Songkhram (1938-1944 and 1948-1957), which sought to consolidate the nation state by constructing a notion of “Thainess” based on differentiation of an aggressive Myanmar. Phibun, and subsequent Thai leaders, sought to maintain regime security and legitimacy by contrasting their promotion of peaceful international relations, with Myanmar’s history and inclination towards aggression. Grand historical narratives of Thai battles against Burmese aggressors became institutionalized by the Thai state and elite’s cultivation of nationalism, which has been the main influence on Thai foreign policy towards Myanmar, as well as Thai society’s perception of Myanmar.<sup>112</sup> Under Phibun’s military rule, Luang Wichit Wathakan (1898-1962) was the predominant creator of the notion of “Thainess” through popular culture, based on differentiation of Myanmar. Luang Wichit was a politician, historian and playwright, who sought to consolidate the military regime’s legitimacy by emphasizing its role in strengthening the nation-state against an aggressive Myanmar, and the need to abide by *khwam chuea phunam*: a Thai norm on following the leader.<sup>113</sup> The depiction of Myanmar as Thailand’s enemy was further accentuated during the Cold War when Phibun led an anti-Communist campaign against it. Under Phibun’s rule, the military became involved in warfare in Myanmar, both on the side of the Kuomintang troops

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<sup>111</sup> Chachavalpongpan, “Thailand-Myanmar Relations”; “Burma must end its drug deals,” *Bangkok Post*, 1 February 1999; “Today’s Burma funded by drugs,” *Bangkok Post*, 31 January 2005.

<sup>112</sup> Partha Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse* (London: Zed Books, 1986); Chachavalpongpan, *A Plastic Nation*, 9-10.

<sup>113</sup> See Scot Barme, *Luang Wichit Wathakan and the Creation of a Thai Identity* (Singapore: Institute of Southeast Asian Studies, 1994).

(KMT), which were fighting Communist China from Myanmar, and on the side of many ethnic insurgencies against the Burmese military and government's central authority. Thailand supplied arms to both groups. It developed strong relations with the various anti-Communist ethnic groups in Myanmar and created a buffer zone along the Thai-Burmese border, which was to last for decades, and which maintained mutual suspicion and tension between the two countries. Cooperation with the anti-Communist ethnic groups was aimed at destabilizing the political power of Thailand's "traditional enemy" Myanmar while simultaneously fighting Communism.<sup>114</sup> Thus, state-led differentiation of Myanmar was reinforced by the Cold War ideological battle, and further estranged the two countries.

Differentiation of Myanmar from the Cold War to the present was also based on grand historical narratives written by Prince Damrong Rajanubhab (1862-1943), who was an influential member of the elite, and played an important role in institutionalizing the differentiation of Myanmar. Prince Damrong wrote a grand historical narrative in 1917 entitled *Thai Rop Phama* or "Thais Fight Burmese" in English, which state leaders then included as part of the school curriculum, and which the elite turned into popular culture through the fabrication of related stories and movies.<sup>115</sup> The most prominent Thai-Burmese battle which became part of popular culture is the battle against Burmese invaders in the Thai village of Bangrachan 1765-1767, which ended with the conquest of Ayutthaya. For example, the battle of Bangrachan was made into a novel by a Thai aristocrat, Kan Puengban na Ayutthaya, in 1968, and reproduced differentiation by depicting the Burmese as evil aggressors who slaughtered patriotic Thai people.<sup>116</sup> Moreover, the battle of Bangrachan has appeared every now and then in popular culture, be it as a movie (one movie was released in

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<sup>114</sup> Chachavalpongpun, *A Plastic Nation*, 46.

<sup>115</sup> Sunait Chutintaranond and the Faculty of Arts, Chulalongkorn University, *Tasanakati Yiad Yarm Peun Baan Parn Bab Rien: Chart Niyom Bab Rien Thai* [Superiority Complex Towards Neighbours in the Curriculum: Nationalism in the Thai Curriculum] (Bangkok: Matichon Publishing House, 2010).

<sup>116</sup> For a summary of the novel *Bangrachan* in English, see Chachavalpongpun, *A Plastic Nation*, 34.

1966 and another in 2000), or as a television series, such as “Sai Lo-Hid” in 1995. Most recently, differentiation of Myanmar in popular culture appeared in the movie “Queen Suriyothai”, which was released in 2001, and narrates the story of a Thai Queen who was killed while fighting the Burmese in the 16<sup>th</sup> century. Such sources of popular culture demonstrate how the differentiation of Myanmar as a neighbouring aggressor has been perpetuated over the years. In contrast, there are no counter-sources which depict Myanmar as a friend, and the absence of such sources represent a gap in the state and elite’s efforts to promote regional community building.

#### *Regime Security and the Suspension of Differentiation (1940s-1980s)*

Despite Thailand and Myanmar’s historical legacy of enmity and the state-led discourse on differentiation in Thailand, both countries had an incentive to protect their regime during the Cold War, and, as such, communicated their recognition, and respect, for each other’s independence and nation-building efforts. This mutual recognition was communicated through the exchange of state visits, which were supplemented by mutual support for their common religion of Buddhism, through donations to temples and participation in each other’s religious ceremonies. The exchange of state visits and participation in religious ceremonies can be traced back to the establishment of Thai-Burmese diplomatic relations in 1948, which paved the way for subsequent state visits. In 1955, the first Burmese Prime Minister, U Nu, visited Thailand. U Nu signalled his regime’s peaceful intent, and promoted bilateral reconciliation by making a donation toward the restoration of temples and Buddha statues, which were destroyed by Myanmar in its second invasion of the old Kingdom of Ayutthaya in 1767. Thai leaders subsequently reciprocated such visits and peaceful gestures by attending a religious ceremony in Myanmar in 1955.<sup>117</sup> In 1960, His

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<sup>117</sup> See Venika Boonma-kee, *Burma: Thai Foreign Policy under Chatichai Choonhavan’s Government* (Bangkok: The Thailand Research Fund, 1997).

Majesty the King and Queen of Thailand visited Myanmar as guests of General Ne Win. In addition, civil servants from both countries also visited each other and sought to maintain peaceful bilateral relations by drafting agreements on various issues, such as the Treaty on Peace and Friendship and memorandums of understanding on border problems.<sup>118</sup> Both countries respected each other's common aim to strengthen their nation state, and agreed to mutually support this endeavour through recognition of each other's independence, which includes independence to pursue their chosen path of development, and not to interfere in each other's domestic affairs. In this regard, there was a reversal of differentiation between states, but not between Thai society and the Burmese state, due to a state-led discourse on differentiation in Thailand, as part of nation-building.

The incentive to protect regime security through the reversal of state-to-state differentiation has to a large extent continued to the present day, and constitutes part of the broader aim to protect regime security through expanded international relations and international cooperation. On the Burmese side, General Ne Win (Chairman of the ruling Burma Socialist Programme Party 1964-1988) sought to protect Myanmar's security interests by ending the previous policy of isolation and reaching out to the international community in 1972.<sup>119</sup> On the Thai side, Prime Minister Prem Tinsulanonda (1980-1988) also sought to consolidate Thailand's security by expanding its international relations. In this endeavour, he initiated an "Omni-Directional Policy" in 1982, which sought to demonstrate Thailand's willingness to negotiate, and to have good relations with every country, irrespective of its political ideology or religion.<sup>120</sup> The exchange of visits and communications between Thai and Burmese leaders, as a result of these policies, led to significant improvements in state-to-

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<sup>118</sup> Ibid., 47.

<sup>119</sup> See Richard Butwell, "Ne Win's Burma: At the end of the first decade," *Asian Survey* 12, No. 10 (Oct., 1972): 901-912.

<sup>120</sup> Eric Teo Chu Cheow, "New Omnidirectional Overtures in Thai Foreign Policy," *Asian Survey* 26, No. 7 (July, 1986): 745-758.

state relations in the 1980s.<sup>121</sup> Burmese leaders recognized the Thai Royal family and Thai state actors, and demonstrated the importance they gave to Thailand. For example, General Ne Win invited Her Royal Highness Princess Sirindhorn of Thailand to pay an official visit to Myanmar as his guest in 1986; and also allowed the Thai Foreign Minister at the time, Sitthi Savetsila, to pay a courtesy call during his visit to Myanmar that same year. This was very significant since General Ne Win rarely met representatives from other countries, be they officials or Heads of State. Burmese state actors reciprocated their Thai counterparts' visits. For example, Foreign Minister U Yaegong visited Thailand in 1986, and Prime Minister U Maung Kha paid a visit in 1987. Such exchange of state visits facilitated the reversal of differentiation by providing both governments with an opportunity to express their commitment to jointly resolve common problems, such as that of Burmese ethnic insurgents in the border area, through the Thai-Burma Border Committee, which was established in 1963.<sup>122</sup> Thai Prime Minister Prem sought to reverse state-to-state differentiation by emphasizing his government's policy of not supporting ethnic insurgents in the border area. However, one Burmese political activist, Maung Zarni, argues that the Thai military in the border area had business ties with ethnic insurgents (namely, the New Mon State Party and the Karen National Liberation Army) and that they allowed weapons to be transported to them up until 1988.<sup>123</sup> Such business ties and transactions maintained distrust in bilateral relations, and served as factors for underlying differentiation.

## II. On-going Mutual Differentiation

From 1988 onwards, the Burmese government differentiated its Thai counterpart as a security threat, based on the latter's alleged involvement in anti-Yangon organizations and

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<sup>121</sup> Boonma-kee, *Burma*.

<sup>122</sup> For a list of ethnic insurgent organizations, see Myoe, *Neither Friend Nor Foe*, 64.

<sup>123</sup> Maung Zarni (Burmese political activist and lecturer at the London School of Economics and Political Science), interview by author over the phone, 4 August 2010; Myoe, *Neither Friend Nor Foe*, 38, 47, 54-55, 57-58; Pasuk Phongpaichit, Sungsidh Piriyarangsarn, and Nualnoi Treerat, *Guns, Girls, Gambling, Ganja: Thailand's Illegal Economy and Public Policy* (Bangkok: Silkworm Books, 1998), 134-141.

exploitation of Myanmar's resources.<sup>124</sup> The Burmese government interpreted its Thai counterpart's involvement in anti-Yangon organizations as an infringement on national self-determination and sovereignty, and, as such, lost trust in its Thai counterpart. Moreover, the perceived exploitation of Myanmar's resources was interpreted by the Burmese government and media as a means for the Thai government to increase its power in the region, and its potential to become the regional hegemon.<sup>125</sup> Moreover, these actors also differentiated Thailand as a potential hegemonic threat by referring to the Thai Defence Minister (and Deputy Prime Minister) General Chavalit Yongchaiyudh's idea in 1989 of creating a "Suwannaphume," or Golden Land in Southeast Asia, with Thailand as the economic centre.<sup>126</sup> Thus, the Burmese government's differentiation of its Thai counterpart was based on its alleged support for the Burmese opposition, its apparent aims to build Thailand's hegemony in the region and activities which were seen to support this aim.

Differentiation of Thailand is deeply embedded in Burmese society, since it is included in school textbooks and forms part of the curriculum on neighbouring countries. Differentiation of Thailand was included in three supplementary textbooks on Thai-Burmese relations for primary and secondary school students, which were introduced by the Burmese government in 2001. The textbooks portrayed Thai people as those who are dependent on others, since they are "lazy" and "disinclined to self-reliance and hard work."<sup>127</sup> Following this background, supplementary history textbooks for secondary school differentiate the Thai government as a security threat, due to its hegemonic aspirations to weaken and exploit others, as evident in its support for ethnic insurgents in Myanmar and anti-Myanmar organizations, as well as involvement in drug trafficking and extraction of Myanmar's

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<sup>124</sup> Ibid., 3, 47-59. Yangon was the old capital of Myanmar. The current capital, as of 2005, is Naypyidaw.

<sup>125</sup> Ibid., 4-5.

<sup>126</sup> Ibid.

<sup>127</sup> Ibid., 21.

resources.<sup>128</sup> Nevertheless, despite this differentiation in the school curriculum, scholars of Thai-Myanmar relations find that differentiation of Thailand as Myanmar's historical enemy is not as stark as that of Myanmar in Thai historiography.<sup>129</sup> In any case, Burmese scholars observe that Burmese society not only differentiate Thailand, but also resent the Thai state for not doing enough to help Burmese people push for democratization.<sup>130</sup> Thus, obstacles to improving Thai-Myanmar relations on the Burmese side include differentiation in the school curriculum and resentment against the lack of pressure for political reforms.

*Burmese Awareness and Resentment Against Thailand's Differentiation (Post-Cold War)*

Not only are there restrictions on progress from differentiation to assimilation at the state-to-state level, but also at the people-to-people level, due to the national diffusion of negative identification of the Burmese; negative identification of the Burmese not only differentiates the Burmese in Myanmar from Thai people, but also alienates those who fled persecution back home (namely, after the Burmese government's crackdown on political dissidents in 1988) to live in Thailand. Burmese political refugees in Thailand have sought to understand Thailand's negative identification by studying Thai historical narratives and analysing the motives behind Thai leaders' perpetuation of an external security threat from Myanmar. Some analyses on Thailand's negative identification have appeared in their news magazine, *The Irrawaddy*, which was founded in 1999, in Chiangmai, Thailand, by Aung Zaw. *The Irrawaddy* monitors Myanmar's politics and is closely associated with the pro-democracy movement. Moreover, *The Irrawaddy* also reports on political developments in Southeast Asia, but to a lesser extent.<sup>131</sup> Burmese political refugees are aware of the deeply embedded differentiation of Myanmar, which can make it difficult for them to assimilate into

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<sup>128</sup> Ibid.

<sup>129</sup> Chachavalpongpun, "Thailand-Myanmar Relations," 121.

<sup>130</sup> Tin Maung Maung Than, interview by author, note taking. Institute of Southeast Asian Studies, Singapore, 23 June 2010.

<sup>131</sup> See *The Irrawaddy*, <http://www.irrawaddy.org> [accessed on 08/09/11].



Thai society. One political refugee, Min Zin, identified many sources from Thai historical narratives in the 14<sup>th</sup> to 18<sup>th</sup> century, which differentiated Myanmar as an aggressor and national enemy, and which formed the basis for the subsequent institutionalization of differentiation in the 20<sup>th</sup> century. For example, one source that was written by a Thai historian, Krom Pharawangboworn, vividly depicts the outrage at Myanmar's invasion and pillage of Thailand:

The sinful Burmese ravaged our villages and cities. A great number of our citizens [were killed] and many temples were...ruined. Our peaceful kingdoms were abandoned and turned into forests. The Burmese showed no mercy to the Thais and felt no shame for all the sins they had committed.<sup>132</sup>

Moreover, even the historical records of Thai monks contributed to the threatening Burmese stereotype by describing the Burmese as a threat to the Buddhist faith, due to their inclination towards aggression and their slaughter of fellow Buddhists in Thailand. Such sources are included in Thai history textbooks and serve to maintain nationalism, to the expense of improving the quality of intra-regional relations for the realization of a regional community.<sup>133</sup>

In the case of Thailand and Myanmar, improvement of bilateral relations was further complicated by what Burmese political refugees described as Thai people's sense of superiority. This apparent sense of superiority is traced back to Thai Prime Minister Chatichai Choonhavan's (1988-1991) depiction of Thailand as a model of development and prosperity, in contrast to Myanmar's stagnation and poverty.<sup>134</sup> As argued by Min Zin: "the steady deterioration of social and economic conditions in (Myanmar) after decades of misrule under successive military regimes has added a sense of worldly, as well as moral, superiority to

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<sup>132</sup> Quoted in Min Zin, "Ayutthaya and the End of History: Thai Views of Burma Revisited," *The Irrawaddy* 8, No. 8 (August, 2000), [http://www.irrawaddy.org/article.php?art\\_id=1967](http://www.irrawaddy.org/article.php?art_id=1967) [accessed on 28 January 2010].

<sup>133</sup> See Chutintaranond and the Faculty of Arts, Chulalongkorn University. *Tasanakati Yiad Yarm Peun Baan Parn Bab Rien: Chart Niyom Bab Rien Thai*.

<sup>134</sup> Chachavalpongpan, *A Plastic Nation*.

many Thais' self-image vis-à-vis their neighbour."<sup>135</sup> The Burmese government also detected a sense of superiority on the part of the Thai government and Thai military, and responded by differentiating the Thai state as a threat, based on its condescending behaviour. For example, the Burmese government criticized the Thai military's unilateral closing of the border in reaction to conflicts in the border area, as well as the Thai military's unilateral drawing up of conditions for the border to be reopened in 2001. They interpreted this behaviour as differentiation of Myanmar as Thailand's inferior, stating that "the Thai authorities treated us like a country under their influence. Ignoring the equality and mutual respect between the two countries, Thailand treated us like a satellite state."<sup>136</sup> In this regard, one can argue that the evolution of differentiation under successive Thai governments has, at worst, contributed to hatred on the part of Burmese people, and, at best, resentment: neither of which facilitates progress towards assimilation.

#### *Mutual Differentiation of the Other as a Security Threat (Post-Cold War)*

In the post-Cold War period, progress towards assimilation has been hindered by the Thai and Burmese state's mutual differentiation of each other as a security threat, based on drug-trafficking and the presence of military troops in the border area. Burmese political refugees in Thailand add to the differentiation of the Burmese government as a security threat, in order to maintain international awareness of the political situation in Myanmar, and to maintain international pressure for political reforms. In this endeavour, published articles questioned the sincerity of the Burmese government, or the State Peace and Development Council (SPDC), as of 1997, in pursuing anti-drug trafficking cooperation with Thailand. Burmese political refugees added to the Thai state's differentiation of Myanmar by arguing

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<sup>135</sup> Zin, "Ayutthaya and the End of History."

<sup>136</sup> Quoted in Maung Aung Myoe, *Neither Friend Nor Foe; Myanmar's Relations with Thailand since 1988: A View from Yangon* (Singapore: Institute of Defence and Strategic Studies, 2002), 29.

that the SPDC was only willing to make vacant promises, and that it had not taken any concrete steps to reduce drug-trafficking activities.<sup>137</sup> Moreover, Burmese political refugees also added to the Thai state's differentiation by arguing that the SPDC's pledges of cooperation with Thailand were only made for the sake of regime legitimacy, and for a chance to interact with the broader international community, to reduce its isolation.<sup>138</sup> Burmese political refugees consolidated differentiation of the Burmese government, based on drug-trafficking, by arguing that it tended to be non-committal in efforts to resolve the problem for the following reasons. The United Wa State Army (UWSA), an ethnic group in the border area which allegedly produces drugs for export to Thailand, signed a cease-fire agreement with the Burmese government in 1989. Since then, it is argued that the Burmese government has reciprocated the UWSA's cooperation by ignoring their drug related business activities. This arrangement benefitted both sides. However, it maintained the Thai military's differentiation of Myanmar as a security threat, based on cross-border drug trafficking. The influx of drugs into Thailand reached such an extent that some high-ranking Thai generals warned the UWSA that they could face a direct military attack on their settlement if they continued to illegally transport drugs across the border.<sup>139</sup> In this regard, drug-trafficking not only maintained differentiation, but also led to the threat of military attacks. The fact that such threats occurred as recently as 2010, demonstrates the continuation of bilateral problems as obstacles to the realization of an ASEAN Community, especially the ASEAN Political Security pillar.

Differentiation of the Burmese government, based on drug-trafficking, is maintained by the Thai military and Thai media, as well as Burmese political refugees and a Burmese

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<sup>137</sup> "Mutual Interests," *The Irrawaddy* 8, No. 4/5 (April 2000), [http://www.irrawaddy.org/article.php?art\\_id=1872](http://www.irrawaddy.org/article.php?art_id=1872) [accessed on 28/01/10].

<sup>138</sup> Aung Naing Oo, "Old Enemies, New Friends?" *The Irrawaddy* 7, No. 2 (February 1999), [http://www.irrawaddy.org/article.php?art\\_id=1121](http://www.irrawaddy.org/article.php?art_id=1121) [accessed on 28/01/10].

<sup>139</sup> "Tangled Ties," *The Irrawaddy* 8, No. 7 (July 2000), [http://www.irrawaddy.org/article.php?art\\_id=1957](http://www.irrawaddy.org/article.php?art_id=1957) [accessed on 28/01/10].

anti-junta civil society, the Alternative ASEAN Network on Burma (ALTSEAN Burma).<sup>140</sup>

These actors insist that the flow of methamphetamines is from Myanmar to Thailand, instead of the other way around, as claimed by the Burmese side; moreover, they argue that the Thai military's threats of military attacks on Burmese settlements have led to no apparent change in the intensity of drug-trafficking, which implies that it is likely to continue, and to remain a source for bilateral differentiation.<sup>141</sup>

The Burmese government and pro-government scholars argue that the Thai government is using Burmese ethnic insurgent groups as a scapegoat for internal drugs problems; moreover, they undermine the Thai government's claims by referring to international reports, and, in doing so, maintain bilateral tension, which provides a fertile environment for continued differentiation.<sup>142</sup> The Burmese government has referred to sections in reports by the United Nations Office on Drugs and Crime (UNODC), which recognize their efforts in fighting against drug-trafficking.<sup>143</sup> However, it did not refer to other sections in the reports, which stated that corrupt army personnel are involved in such activities.<sup>144</sup> In any case, the Burmese media – *The New Light of Myanmar* and *Kyemon* – as well as pro-government scholars have attempted to protect their government's legitimacy by raising awareness on Thailand's historical role in the drug trade, and the continued historical legacy of such activities. In this regard, they are similar to their counterparts in referring to historical events, as a basis for present-day differentiation. For example, the Burmese media

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<sup>140</sup> ALTSEAN Burma is a network of organizations and individuals based in ASEAN member states, which works to support the movement for democracy and human rights in Burma. See ALTSEAN Burma, <http://www.altsean.org/index.php> [accessed on 23/09/11].

<sup>141</sup> "Tangled Ties"; Yuwadee Tanyasiri, "Kachadpai insists relations on track," *Bangkok Post*, 25 March 2000, <http://www.ibiblio.org/obl/reg.burma/archives/200003/msg00057.html> [accessed on 20/09/11]; ALTSEAN Burma, *A Failing Grade: Burma's Drug Eradication Efforts* (Bangkok: ALTSEAN Burma, 2004), 142; Kavi Chongkittavorn, "Thai-Burma Relations," in *Challenges to Democratisation in Myanmar: Perspectives in Multilateral and Bilateral Response* (Stockholm: International Institute for Democratic and Electoral Assistance, 2001).

<sup>142</sup> Myoe, *Neither Friend Nor Foe*, 132, 139-140.

<sup>143</sup> *Ibid.*

<sup>144</sup> See, for example, United Nations Office on Drugs and Crime, *World Drug Report 2000*, [http://www.unodc.org/pdf/world\\_drug\\_report\\_2000/report\\_2001-01-22\\_1.pdf](http://www.unodc.org/pdf/world_drug_report_2000/report_2001-01-22_1.pdf) [accessed on 22/09/11].

published articles by prominent historians, which implicitly accused the Thai King in the 18<sup>th</sup> century of being responsible for the opium trade in Southeast Asia.<sup>145</sup> In addition, pro-government Burmese scholars also differentiated Thailand as a security threat by arguing that the drugs problem came to Myanmar from Thailand; that Thailand is a major transit and haven for internationally organized criminals engaged in drug-trafficking; and that it is equipped with funding and facilities for drug production.<sup>146</sup> Such differentiation of Thailand led to protests by the Thai government, thereby maintaining bilateral tension, and restricting progress in the improvement of bilateral relations and assimilation.

In addition to drug trafficking, Thailand and Myanmar's mutual differentiation of each other as a security threat was also based on the presence of military troops on both sides of the border. On the Thai side, the security threat is from the potential spill-over of fighting between the Myanmar Armed Forces, the *Tatmadaw*, and ethnic minorities in the border area, such as the Karen. Most recently, there was fighting between the *Tatmadaw* and ethnic minorities in November 2010, after the latter protested against the general elections. Grenades from the fighting landed in Mae Sot district of northern Thailand and injured three to seven Thai people (depending on different sources); moreover, hundreds to thousands (also depending on different sources) of Burmese fled to Thailand as a result of the fighting.<sup>147</sup> Some of the Burmese refugees have been detained at the Border Patrol Police in Mae Sot. Some have found jobs in Thailand and have been exploited due to their status as undocumented migrant workers.<sup>148</sup> Neither of these situations facilitates progress from

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<sup>145</sup> Myoe, *Neither Friend Nor Foe*, 138-139.

<sup>146</sup> *Ibid.*, 141.

<sup>147</sup> The Nation, "Thai troops reinforced along Thai-Burma border," 8 November 2010, <http://www.nationmultimedia.com/home/2010/11/08/national/Thai-troops-reinforced-along-Thai-Burma-border-30141764.html> [accessed on 10/09/11]; Bangkok Post, "Fighting on Thai-Burma border injures three Thais," 8 November 2010, <http://www.bangkokpost.com/news/local/205368/fighting-on-thai-burma-border-injures-three-thais> [accessed on 10/09/11].

<sup>148</sup> See Htoo Chit (Founder of the Foundation for Education and Development in Thailand), "The View from the Thai/Burmese Border: The Problem of Burmese Migrants in Thailand," 24 June 2010,

differentiation to assimilation. Detention of Burmese refugees with the Thai police maintains differentiation of the Burmese as a security threat, while some Thais' exploitation of Burmese migrant workers has led to narratives of victimization and resentment against Thais on the part of the Burmese.<sup>149</sup> Thus, the continuation of a militarized border, fighting in the border area on the Burmese side, and consequent problems of refugees and migrant workers, maintained mutual differentiation in Thai-Myanmar relations.

### III. Incentives for Reversing Differentiation

Nevertheless, despite the continued mutual differentiation, a fundamental shift did occur in Thai-Myanmar relations in 1988, when the new Thai Prime Minister Chatichai Choonhavan (1998-1991) prioritized the pursuit of economic interests over good relations between the Thai military in the border area and Burmese ethnic insurgents.<sup>150</sup> Chatichai was a military officer, turned businessman-politician, who was motivated to reverse differentiation of Thailand's neighbours in the pursuit of economic interests. Chatichai outlined a vision of Thailand as an economic centre in mainland Southeast Asia, which would engage with neighbouring Indochinese countries, as well as Myanmar.<sup>151</sup> His cabinet consisted of similar business-oriented politicians, who specifically targeted logging and fishing concessions from Myanmar. They prioritized the pursuit of private and national economic interests over support for the international community's condemnation of Myanmar's military coup in 1988, which established the State Law and Order Restoration

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<http://www.blog.gale.com/speakingglobally/the-view-from-here/the-view-from-the-thaiburmese-border-the-problem-of-burmese-migrants-in-thailand> [accessed on 10/09/11].

<sup>149</sup> See, for example, the report by Human Rights Watch, "From the Tiger to the Crocodile: Abuse of Migrant Workers in Thailand," 23 February 2010, <http://www.hrw.org/reports/2010/02/23/tiger-crocodile> [accessed on 10/09/11]. This report is based on interviews with migrant workers. Other sources include "Thailand: 39 Enslaved Burmese Migrant Workers Escape," *Democracy for Burma*, 29 April 2011, <http://www.democracyforburma.wordpress.com/2011/04/29/thailand39-enslaved-burmese-migrant-workers-escape> [accessed on 10/09/11]; "Burmese migrant workers denied May Day holiday," *Burma News International*, 1 May 2010, <http://www.bnionline.net/feature/kic/8451-burmese-migrant-workers-denied-may-day-holiday-.html> [accessed on 10/09/11].

<sup>150</sup> Zarni, interview by author; Boonma-kee, *Burma*.

<sup>151</sup> See Leszek Buszynski, "Thailand and Myanmar: the perils of 'constructive engagement,'" *The Pacific Review* 11, No. 2 (1998): 290-305.

Council (SLORC). At the time, Thailand's natural resources, such as forests, minerals, wild animals and aquatic animals, were rapidly decreasing and insufficient for domestic consumption and industry.<sup>152</sup> As such, the search for supplementary raw materials from other countries became necessary, and Myanmar appeared to satisfy this need. In the search for supplementary raw materials, Chatichai promoted international economic cooperation and the expansion of Thailand's trade to other countries, irrespective of their political ideology and political system. This international outlook had huge implications for Thailand's foreign policy after the end of the conflicts in Indochina, since it enabled Chatichai's government to be opportunistic and to initiate the policy of turning Indochina's "battlefields into marketplaces."<sup>153</sup> This pursuit of economic interests was extended to other countries, such as Myanmar. Chatichai sought to consolidate Thailand's economic interests by promoting the idea of joint economic development with neighbouring countries. Moreover, he sought to highlight Thailand's success in economic development and to project Thailand's leadership in the sub-region by expressing his willingness to share Thailand's developmental experience with neighbouring countries, and, in doing so, strengthen them economically for both their interest as well as Thailand's. These motivations to reverse differentiation for economic interests are evident in the following argument by Chatichai:

To trade with our neighbours, like Burma, we need to consider their need, treating them as partner not enemy. In this way, not only can we pass on our experience about economic development, but it is also in our interest to have economically strong neighbours.<sup>154</sup>

In this endeavour, General Chavalit was sent to Myanmar in 1988, as a de facto ambassador to pave the way for trade negotiations with SLORC. The choice of Chavalit was based on his personal relations with the Burmese leader, General Saw Maung. Chavalit sought to persuade

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<sup>152</sup> Boonma-kee, *Burma*.

<sup>153</sup> Chris Baker, and Pasuk Phongpaichit, *A History of Thailand* (Cambridge: Cambridge University Press, 2005), 241.

<sup>154</sup> Quoted in Chachavalpongpan, *A Plastic Nation*, 118.

Saw Maung of the mutual benefits that could be gained from bilateral trade, and to pave the way for future visits by Thai politicians to negotiate trade deals on wooden products and fishery.<sup>155</sup> He justified his visit to Myanmar and the promotion of bilateral trade by stating that they had a positive impact on Thai-Burmese relations.<sup>156</sup> However, Chavalit's visit also demonstrated that the Thai government prioritized economic interests over the protection of human rights in Myanmar, to the extent that it helped repatriate Burmese political dissidents who fled to Thailand, in exchange for logging rights and fishing deals.<sup>157</sup> In this regard, the exchange of Thai economic gains for Burmese political dissidents may have reversed differentiation of the other as a security threat at the state level, but not at the level of society. This was due to the domestic political conflict in Burma, which complicates the reversal of differentiation and promotion of assimilation in Thai-Myanmar relations. Moreover, Burma's domestic political conflict also meant that the initiation and development of bilateral cooperation between states is not necessarily enough to reverse differentiation at all levels.

Most Thai governments since the 1980s have chosen to pursue trade with the Burmese government over differentiation of an authoritarian regime, since this policy was expected to yield the most political, economic, and security benefits. Under Chatichai's government, trade with Myanmar benefited specific groups: politicians, people associated with politicians, businessmen and the military. The Thai military played a major role in promoting bilateral economic exchanges by purchasing gems and wood from junta owned businesses, such as the Union of Myanmar Economic Holdings (UMEH), also known as the Myanmar Economic Holdings, the Myanmar Economic Cooperation (MEC), and the Union

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<sup>155</sup> Boonma-kee, *Burma*, 65.

<sup>156</sup> *Ibid.*

<sup>157</sup> "It's a Family Affair," *The Irrawaddy* 5, No. 2 (May 1997), [http://www.irrawaddy.org/article.php?art\\_id=610](http://www.irrawaddy.org/article.php?art_id=610) [accessed on 28/01/10]; on Thailand's repatriation of Burmese dissidents and logging concessions to Thai companies, see also "Thai Minister Meets Burma's Top Generals," *Reuters*, 1 September 1995, [http://www.burmanet.org/bnn\\_archives/1995/wn090195.txt](http://www.burmanet.org/bnn_archives/1995/wn090195.txt) [accessed on 17/09/11]; Myoe, *Neither Friend Nor Foe*, 26.



Solidarity Development Association (USDA).<sup>158</sup> These economic exchanges benefitted the two countries' militaries and consolidated their bilateral relations. At the time, state leaders downplayed or suspended differentiation to pursue economic interests, and were less proactive in laying the foundation for the promotion of cultural ties and assimilation.

When General Chavalit, as head of the New Aspiration Party, was Prime Minister of Thailand (1996-1997), he sought to consolidate bilateral trade by becoming friendlier with his Burmese counterparts, and developing the habit of referring to them as “brothers,” thereby further reversing differentiation.<sup>159</sup> Chavalit became Prime Minister of Thailand during the Asian Financial Crisis at a time when it was also in the interest of Myanmar's ruling generals to reverse differentiation, since they were desperate for foreign investment and improvements to national infrastructure. Chavalit continued to prioritize economic interests over human rights, as evident in his trips to Myanmar with Thai delegations to negotiate investment projects, despite protests by human rights activists back home. These activists differentiated the Thai government from the Burmese military dictatorship and its lack of political freedoms. They pointed out that Chavalit came to power through a legitimate electoral process, and that he should not undermine Thailand's democratization by associating with the Burmese military dictatorship and repatriating Burmese ethnic refugees. Instead, they argued that Chavalit should be meeting with the Burmese pro-democracy leader Aung San Suu Kyi.<sup>160</sup> These different opinions on Thailand's approach to Myanmar constitute a major obstacle to promoting assimilation between the two countries: on the one hand, Thai governments want to promote assimilation through the common aim for economic growth, irrespective of different political systems; on the other hand, Thai political and social

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<sup>158</sup> Thailand International Cooperation for Development Agency, “Draft Strategy for International Cooperation for Development: Thailand and Myanmar 2007-2011,” obtained by author in September 2008.

<sup>159</sup> Myoe, *Neither Friend Nor Foe*, 8; “It's a Family Affair.”

<sup>160</sup> See Chachavalpongpun, *A Plastic Nation*, 69.

activists want to promote assimilation through shared norms of international society, namely, democratization and human rights.

Moreover, assimilation was made difficult due to conflicting statements by General Chavalit to his critics and the Burmese government, which resulted in uncertainty and mistrust of Thailand's foreign policy on the part of the Burmese, and, thus, the absence of stable, predictable relations as a basis to promote assimilation. General Chavalit sought to appease his critics in Thailand and the West, by expressing his support for democratization and human rights at the national and international level; at the same time, he also sought to maintain close relations with the Burmese government and to secure bilateral trade by reassuring them of non-interference in domestic affairs. Chavalit justified close relations with the Burmese government as a means to "influence" reforms and to assimilate Myanmar into the international community. He sought to demonstrate how his close relations enabled him to make recommendations that would promote democratization and human rights. For example, in an interview on his meeting with Burmese General Than Shwe in May 1997, Chavalit proudly boasted: "I told him to slowly release some freedoms. People want to see something on human rights and freedoms."<sup>161</sup> Than Shwe had no comment to make on this remark, thereby enabling both the Thai and Burmese governments to demonstrate their consideration on human rights to the international community, in an endeavour to gain international recognition. In order to maintain close relations and bilateral trade, Chavalit promised the Burmese leaders that he would not meet with the leader of their opposition, Aung San Suu Kyi, or attempt to act as a political mediator between them.<sup>162</sup> Chavalit reversed differentiation in Thai-Myanmar relations by referring to the Burmese government as a friend of Thailand. He then reasoned that if the Burmese government was a friend of Thailand, and Aung San Suu Kyi was an enemy of the Burmese government, then she was

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<sup>161</sup> "It's a Family Affair."

<sup>162</sup> Chachavalpongpun, *A Plastic Nation*, 138.

not a friend of Thailand. Aung San Suu Kyi did not pose a threat to Chavalit's government. However, his support for her was expected to result in the termination of bilateral relations and bilateral trade. As argued by the Secretary-General of the National Security Council of Thailand in the year 2000, personal relationships between the Thai and Burmese military were crucial.<sup>163</sup> The Secretary-General observed that the Burmese government chose to engage with people it trusts, and that once distrust emerged, bilateral relations would be made difficult or suspended altogether.<sup>164</sup> Thus, any efforts to promote assimilation in bilateral relations are conditional on the cultivation of trust between the two leading political actors on both sides. While trust is a difficult factor to measure, one can measure the increase or decrease in political statements by Thai leaders, which either portray Myanmar in a positive light (e.g. as a friend or an economic partner), or a negative light (e.g. an authoritarian military regime which represses political freedom and abuses human rights). These different portrayals of Myanmar result from the different interests and priorities of successive Thai leaders, as shown throughout this chapter.

*Emphasis on International Norms and a Collective Approach to Myanmar (Post-Cold War)*

The declining role of the military and the increasing role of civilians under Thai Prime Minister Chuan Leekpai (1997-2001) resulted in a different policy towards Myanmar, which led to more distant, as opposed to close, bilateral relations, and which highlighted the difficulties in promoting assimilation at both the bilateral and regional level. Chuan came to power as leader of the Democrat Party when Prime Minister Chavalit resigned in 1997, following the Asian Financial Crisis, and pursued a different approach to Myanmar for three main reasons. First, as leader of the Democrat Party, he stood for democratization at home and abroad. Second, his government had to comply with the International Monetary Fund's

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<sup>163</sup> Ibid., 74.

<sup>164</sup> Ibid.

(IMF) conditions for economic aid, which included domestic political reforms and a liberal financial system that is open to the free flow of various types of funds into and out of the economy.<sup>165</sup> As such, Chuan's government saw the initiation and completion of the most democratic constitution in Thai history, which included the protection of human rights.<sup>166</sup> Democratization and support for human rights at the national level was extended to foreign policy. For example, Chuan withheld international recognition of the Burmese military junta by refusing to visit Yangon and openly calling on the junta to improve its human rights records.<sup>167</sup> The third reason for which Chuan pursued a different policy was the membership of his cabinet, which included professional politicians and leading academics who, unlike previous administrations, had no economic interests in Myanmar. Chuan's cabinet did not include any military officers, which made it easy for him to delegate foreign policy to the Ministry of Foreign Affairs and other national ministries.<sup>168</sup> Chuan replaced the tradition of pursuing Thai-Myanmar relations through personal, military contacts, with a policy of "collective diplomacy," or coordinated foreign policy between state leaders and national ministries.<sup>169</sup> His motivations in doing so were to make his government more legitimate by placing policy-making in the hands of elected state actors, rather than un-elected military officers. Moreover, his government sought to consolidate Thailand's status as a member of the international community by being more proactive and taking more concrete steps to promote democratization and human rights in Myanmar.<sup>170</sup> For example, Chuan's Foreign Minister, Surin Pitsuwan, proposed in 1988 that ASEAN member states adapt their traditional approach on non-interference in another country's domestic affairs to one of "constructive

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<sup>165</sup> See IMF Conditionality Factsheet, <http://www.imf.org/external/np/exr/facts/conditio.htm> [accessed on 11/02/10].

<sup>166</sup> Philip J. Eldridge, *The Politics of Human Rights in Southeast Asia* (London: Routledge, 2002), 54.

<sup>167</sup> "Thaksin should be firm with Burma," *The Irrawaddy* 9, No. 2 (February 2001), [http://www.irrawaddy.org/article.php?art\\_id=2139](http://www.irrawaddy.org/article.php?art_id=2139) [accessed on 11/09/11].

<sup>168</sup> Chachavalpongpun, *A Plastic Nation*, 78.

<sup>169</sup> *Ibid.*, 79.

<sup>170</sup> See, for example, "Defending Democracy: A Global Survey of Foreign Policy Trends 1992-2002; Democracy Coalition Project," <http://www.demcoalition.org/pdf/Thailand.pdf> [accessed on 11/09/11].

intervention.”<sup>171</sup> Surin explained and justified his proposal as follows: “when a matter of domestic concern poses a threat to regional stability, a dose of peer pressure or friendly advice can be helpful.”<sup>172</sup> However, this initial proposal, and its subsequent watered down version as “flexible engagement” was ultimately put to the side since it was opposed by a majority of ASEAN member states, which preferred to abide by the traditional ASEAN norm of non-interference in another country’s domestic affairs.<sup>173</sup>

Chuan’s government set the precedent for subsequent Democrat Party-led governments to be proactive in promoting political reform in Myanmar and differentiating Myanmar as an authoritarian military regime. Moreover, his government also set a precedent for the promotion of a collective ASEAN approach to influence political reforms in Myanmar. This policy serves to consolidate the traditional ASEAN norm of non-interference, which treats ASEAN member states as separate entities that unite against shared security threats, rather than promotes assimilation into a regional community, where states share common internal characteristics and can relate to each other at a deeper level. In this regard, the major obstacle to assimilation is the region’s political diversity and state actors’ aversion to imposed change from outside, be it from fellow ASEAN member states or Western countries. While ASEAN member states did agree to realize a regional community of democratic states in 2003, they have an implicit understanding that the process of democratization at the national level cannot be forced or accelerated by other countries, and that it has to be left to the discretion of state leaders. This understanding indicates that ASEAN member states remain averse to an explicit, collective approach to influence political

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<sup>171</sup> See Jürgen Haacke, ““Enhanced Interaction” with Myanmar and the Project of a Security Community: Is ASEAN Refining or Breaking with its Diplomatic and Security Culture?” *Contemporary Southeast Asia* 27, No. 2 (Aug., 2005): 188-216. The original idea for constructive intervention actually came from Malaysian Deputy Prime Minister Anwar Ibrahim in 1997. However, the idea did not receive much international attention at the time.

<sup>172</sup> Quoted in Mya Than, *Myanmar in ASEAN: Regional Cooperation Experience* (Singapore: Institute of Southeast Asian Studies, 2005), 19.

<sup>173</sup> Myoe, *Neither Friend Nor Foe*, 7.

reforms; however, it does not exclude the possibility for political reforms to be promoted through less explicit, bilateral meetings, where there appears to be less international pressure for concrete outcomes. This aim to promote political reforms would of course have to be reciprocated by the target regime, which means that assimilation, based on a democratizing region, is primarily dependent on the interests and outlook of state leaders (e.g. isolationist or internationalist), with bilateral and international persuasion being of secondary importance.

*Leadership in Community Building and Prospects for Assimilation (2001 onwards)*

In an attempt to strengthen Thailand's position within the region, and to demonstrate Thailand's leadership in economic development and community building, Thaksin's government initiated new bilateral and regional projects, which sought to increase cooperation, and to promote assimilation into a regional community. As such, Thaksin's political party, Thai Rak Thai (TRT) 2001-2006, and its subsequent reincarnations as the People Power Party (PPP) 2007-2008, then Pheu Thai (PT), which came to power in 2011, all prioritized bilateral economic cooperation to the expense of promoting democratization and human rights in Myanmar. This prioritization of economic cooperation led to the portrayal of Myanmar as an economic partner, rather than a security threat.<sup>174</sup> Moreover, it also led to an increase in bilateral trade and new investment links with the Burmese government under Thaksin's Thai Rak Thai government (2001-2006). For example, Shin Corp, a telecommunications company owned by Thaksin's family at the time, signed a deal with Bagan Cybertech, an internet service provider owned by the son of General Khin Nyunt (a member of the Burmese government, and Prime Minister of Myanmar 2003-2004).<sup>175</sup> Such

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<sup>174</sup> See, for example, "Thai PM's Myanmar visit to promote trade co-op," *Xinhua*, 14 March 2008, <http://www.english.peopledaily.com.cn/90001/90777/90851/6373504.html> [accessed on 15/09/11]; Shwe Yin Mar Oo, "Yingluck and the ties that bind," *The Myanmar Times*, 18-24 July 2011, <http://www.mmtimes.com/2011/news/584/news58414.html> [accessed on 15/09/11].

<sup>175</sup> See Simon Roughneen, "Former Foreign Minister Reviews Thai-Burmese Relations," *The Irrawaddy*, 10 February 2010, [http://www.irrawaddy.org/article.php?art\\_id=17775](http://www.irrawaddy.org/article.php?art_id=17775) [accessed on 11/09/11].

business deals served as incentives for both governments to maintain close relations and not to pursue differentiation.

Thaksin's government sought to consolidate its economic interests and to demonstrate Thailand's leadership in improving intra-regional relations, by providing for the expansion of bilateral cooperation into new areas, such as culture. In this endeavour, his government initiated the Thai-Myanmar Cultural and Economic Cooperation Association (TMCECA), and the Myanmar-Thai Cultural and Economic Cooperation Association (MTCECA), in July and August 2001, respectively. These associations were established under the patronage of Deputy Prime Minister General Chavalit Yongchaiyudh of Thailand, and Prime Minister General Khin Nyunt of Myanmar, with the primary aim to promote Thai businesses' access and relations with the Burmese regime. For example, at the Third Joint Meeting of both associations, a group of Thai businesses presented "gifts" as a token of Thailand's friendship: the MDX Group of Companies, Thailand, presented a "gift" of US\$25,000; the Bangkok First Union Company Limited, Thailand, presented US\$12,000 worth of disposable syringes, and the Hotel & Golf Club, Tachilek, a "gift" of US\$4000.<sup>176</sup> Moreover, the MDX Group of Companies, which deals with investment and real estate development, as well as basic infrastructure projects and energy businesses, also cooperated with the Ministry of Public Health in Myanmar on projects on disease control, especially malaria and the setting up of mobile medical units.<sup>177</sup> These "gifts" from Thai businesses and their cooperation with Burmese ministries demonstrate the extent of their economic interests in pursuing friendly relations with the Burmese government, as well as the extent to which they have assumed their government's role as a donor country. Moreover, these "gifts" were recognized, and given importance by Burmese state actors, as they were received by the Patron of the

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<sup>176</sup> Kyi Kyi Hla, "Myanmar, Thai Associations building Cultural and Economic Cooperation," *The Myanmar Times & Business Review* 10, No. 195 (8-14 December 2003),

<http://www.myanmar.gov.mm/myanmartimes/no195/MyanmarTimes10-195/0.18.htm> [accessed on 12/02/10].

<sup>177</sup> Ibid.

Myanmar-Thai Cultural and Economic Cooperation Association (MTCECA), Major General Kyaw Win, and the Deputy Education Minister, U Myo Nyunt. As such, they increased interactions between Thai businesses and the Burmese regime, and, in doing so, reduced incentives for bilateral differentiation. However, because the Cultural and Economic Cooperation Associations were established under Thaksin's premiership, and because Thaksin's opposition, which came to power through a military coup in 2006, sought to distance themselves from their predecessor, these Associations were dropped when Thaksin was no longer in power. Thus, changes in one country's domestic politics may increase or decrease incentives to, at the very least, reduce differentiation, and, at most, to reverse it and instead promote assimilation.

Thaksin's government sought to demonstrate Thailand's leadership in the sub-region by highlighting Thailand's new role as an emerging donor country, which is prepared to provide developmental assistance to neighbouring countries, such as Myanmar.<sup>178</sup> In this regard, Thaksin discontinued differentiation of Myanmar as an enemy and security threat, and instead identified Myanmar as a less economically developed neighbour, which would benefit from developmental assistance, and, in turn, strengthen the region's economic development as a whole. Developmental assistance is coordinated by the Thailand International Development Cooperation Agency (TICA), which is a branch of the Ministry of Foreign Affairs. TICA's developmental assistance focuses on human resource development in three main areas: agriculture, education, and public health.<sup>179</sup> This focus on human resource development is intended to increase interactions between Thai and Burmese people for training purposes, and, in doing so, improve people-to-people relations between the two countries. Moreover, such interactions are intended to reverse differentiation of the other as a

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<sup>178</sup> *Thai International Cooperation Programme 2003-2004 Report* (Bangkok: Thailand International Development Cooperation Agency, 2005), 6.

<sup>179</sup> Thailand International Cooperation for Development Agency, "Draft Strategy for International Cooperation for Development: Thailand and Myanmar 2007-2011," obtained by author in September 2008.



security threat, on the part of Thailand, or differentiation of the other as an economic exploiter, on the part of Myanmar. However, cross-border drug-trafficking and the abuse of migrant workers, as described in the section on mutual differentiation, appear to undermine these efforts to improve bilateral relations.

Nevertheless, Thaksin's government was motivated to downplay differentiation as much as possible due to its aim to 1) expand trade, through the development of close, informal relations between regional state leaders, and increased regional cooperation; and 2) to strengthen Thailand's status in the international community by promoting international norms, and demonstrating Thailand's leadership in influencing the adoption of these norms within the region. As a result, Thai foreign policy was "to bring Myanmar in from the cold" and to socialize Myanmar into the international community's trend of democratization; the tactic for implementing these aims was to promote the drafting of a new constitution as part of the military junta's roadmap to democracy.<sup>180</sup> This policy was part of the broader aim of Thaksin's government to increase Thailand's regional and international role, as evident in the initiation of frameworks such as the Asia Cooperation Dialogue (ACD) and the Ayeyawady Chao Phraya Mekong Economic Cooperation Strategy (ACMECS): all of which promoted assimilation through a common regional identity. Multilateral economic cooperation differs from bilateral economic cooperation, in that it can project a regional identity, and enable countries to associate with this identity, as well as to consolidate it through increasing interactions and cooperation. However, assimilation based on a common regional economic framework may only be limited to state actors, and may not have a wide-ranging social impact; this is especially the case if political and social discourse, as well as popular culture, maintains differentiation. For assimilation to occur beyond state actors and to be sustainable,

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<sup>180</sup> Roughneen, "Former Foreign Minister Reviews Thai-Burmese Relations."

there is the need for both bilateral reconciliation and the creation of new narratives of the other.<sup>181</sup>

Thaksin sought to promote Thailand's leadership in the region by not only initiating multilateral economic frameworks, but also bilateral friendship associations: all of which were intended to strengthen the region as a whole by making it more self-sufficient through mutual help, and by promoting assimilation into a regional community. Thaksin prioritized the strengthening of bilateral relations with Thailand's immediate neighbours - Myanmar, Cambodia, Laos and Malaysia – due to the following security concerns: geographical proximity, border security, cross-border trade and exchange of visits.<sup>182</sup> In this endeavour, his government initiated bilateral friendship associations, which were intended to promote closer bilateral relations at the state-to-state and people-to-people level through the exchange of visits, as well as academic and cultural exchanges. While these efforts remain marginal in the broader scheme of bilateral relations, they indicate that state leaders are giving more importance to improving the quality, and securing the durability, of intra-regional relationships, in order to consolidate the region and to achieve a regional community.

Bilateral friendship associations promote closer relationships between state and non-state actors who aim to reverse differentiation, and to improve bilateral relations between states and peoples; such associations provide a space for these actors to brainstorm and develop their activities, which may initially have a small impact, but has the potential to have a wider political and social impact over time, if they are given more importance by state actors, and if there is increasing social demand for their activities. A Thai-Myanmar Friendship Association was established in 2001, although by 2010, observers of Thai-

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<sup>181</sup> See Charles A. Kupchan, *How Enemies Become Friends: The Sources of Stable Peace* (Princeton: Princeton University Press, 2010), 30.

<sup>182</sup> See Pavin Chachavalpongpun, *Reinventing Thailand: Thaksin and His Foreign Policy* (Thailand: Silkworm Books, 2010), 162.

Myanmar relations point out that there is limited to no awareness of this association in Myanmar, and that the continuation and development of its activities is not guaranteed, due to fluctuations in the domestic politics of both sides.<sup>183</sup> The association's membership includes civil servants, academia, members of the Thai community in Myanmar, as well as members of the Burmese community in Thailand, who have been invited to join the association by their embassy, academia or friends.<sup>184</sup> Thus far, it has sought to reverse differentiation in three main ways. First, by highlighting shared culture, namely, the common religion of Buddhism in joint religious ceremonies. Second, by providing developmental assistance from Thailand, which is intended to reverse differentiation of the other as an enemy, since enemies are not expected to help each other. Third, by providing a space for networking, which reverses differentiation, since it implies that there is a need for increased contact and cooperation. Past activities of the association include: the Thai community's participation in Buddhist ceremonies in Myanmar (in records for 2006 – the present), the provision of funds from Thailand for medical care in Myanmar (for example, a mobile medical unit was sent to Myanmar in 2006), networking among Thai and Burmese businesses (in records for 2007), and the publication of a bilingual dictionary (2007) to promote bilateral communications.<sup>185</sup> Networking among Thai and Burmese businesses is intended to increase cooperation between them, and to provide them with incentives to lobby their governments for the maintenance of stable, friendly bilateral relations. This implies that friendship associations need to obtain the support of influential actors, such as big businessmen, in order to influence state policies that would improve bilateral relations. Thus, the success of friendship associations in firstly

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<sup>183</sup> Tin Maung Maung Than, interview by author, note taking. Institute of Southeast Asian Studies, Singapore, 23 June 2010.

<sup>184</sup> See Ministry of Foreign Affairs, Thailand, "Kor Bangkok Samagom Thai-Phama Pheu Mitrpap" [Guidelines for the Thai-Myanmar Friendship Association], document obtained by author in June 2010.

<sup>185</sup> Ministry of Foreign Affairs, Thailand, "Timeline of Activities for Thai-Myanmar Friendship Association 2006-2007," obtained by author in June 2010. For more recent activities, see, for example: "ZPO (Zoological Parks Organization of Thailand) presents two pairs of penguins to Zoological Garden (Nay Pyi Taw)," *The New Light of Myanmar*, 6 December 2009, <http://www.myanmargeneva.org/09nlm/n091206.htm> [accessed on 14/09/11]; "Myanmar donates rare animals to Thailand for friendship," *Xinhua*, 9 July 2010, [http://www.news.xinhuanet.com/english2010/world/2010-07/09/c\\_13391733.htm](http://www.news.xinhuanet.com/english2010/world/2010-07/09/c_13391733.htm) [accessed on 14/09/11].

reversing differentiation, and subsequently promoting assimilation, relies on the support of important non-state actors at the domestic level (e.g. businessmen and possibly the elite), who may exert more pressure on state actors for the said policies.

The Thai government's aim to demonstrate its leadership in the region, by highlighting its role as a donor country and reversing differentiation, was given a boost by the opportunity to lead the provision of disaster relief to Myanmar, after Cyclone Nargis in May 2008. Following the cyclone, the government and Thai diplomats highlighted the fact that Thailand was the first country to send aid to Myanmar, and that Thailand fully participated in reconstruction efforts, be it through the Tripartite Core Group (TCG: ASEAN-UN-Myanmar), or through donations (donations were made by Thai people in Myanmar, Thailand, and overseas), as well as the continued provision of aid in human resource development.<sup>186</sup> Moreover, they also highlighted how the Thai Embassy in Yangon, in collaboration with the Thai Red Cross, coordinated the renovation of a building to serve as a national blood centre, the purchase of medical equipment for this blood centre, as well as training courses for doctors and nurses in Myanmar.<sup>187</sup> In the aftermath of Cyclone Nargis, aid was provided by both state and non-state actors: both of which sought to reverse any underlying differentiation, on the part of Myanmar, by signalling benign intent to help Myanmar's reconstruction efforts in the long-term. For example, Her Royal Highness Princess Sirindhorn of Thailand donated a cyclone shelter, which was built under the supervision of the Thai Armed Forces Command.<sup>188</sup> When there is no cyclone, the shelter

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<sup>186</sup> Diplomat who wishes to remain anonymous 1, interview by author, note taking and tape recording. Ministry of Foreign Affairs, Thailand, 4 June 2010; ASEAN Secretariat, "1<sup>st</sup> Press Release of Tripartite Core Group," Yangon, Myanmar, 24 June 2008, <http://www.asean.org/21691.htm> [accessed on 26/09/11]; Thai Government, "Summary of Thailand's assistance to Myanmar after Cyclone Nargis," <http://www.reliefweb.int/node/269261> [accessed on 26/09/11].

<sup>187</sup> "Thai Princess concludes private goodwill visit," *The New Light of Myanmar*, 17 March 2010, <http://www.myanmargeneva.org/10nlm/mar/n100318.htm> [accessed on 26/09/11].

<sup>188</sup> Diplomat who wishes to remain anonymous 1; "As Ayeyawady Delta an open plain, cyclone shelters built in coastal areas as top priority to save lives with least damages and injuries in case of natural disasters," *New Light of Myanmar*, 1 September 2010, <http://www.myanmargeneva.org/10nlm/sep/n100901.htm> [accessed on

serves as a school and thus compliments TICA's efforts to promote education as part of human resource development. In addition, the Thai military division for development has also visited the cyclone shelter to give advice on sustainable livelihoods, in accordance with His Majesty the King of Thailand's sufficiency economy.<sup>189</sup> Non-state actors have been active in initiating volunteering and funding activities. For example, Dr. Sunthorn, a member of Thailand's Foundation for Rural Doctors, has led groups of volunteers to Myanmar and oversees the operation of mobile medical units there.<sup>190</sup> Moreover, he also coordinates funding to buy medical equipment for Myanmar. These activities received support and funding from the Thai embassy in Yangon in 2010, which indicate collaboration between state and non-state actors to facilitate Myanmar's reconstruction, as well as to promote a positive image of Thailand as a good neighbour, as opposed to one that exports drugs and economically exploits others. Thus, Cyclone Nargis marked a turning point in Thai-Myanmar relations, since it enabled Thai state and non-state actors to demonstrate their activeness in aiding Myanmar, and increased collaboration between these two actors to reverse any negative images of Thailand, as well as to improve bilateral relations at all levels.

Thaksin's successor, Abhisit Vejjajiva (2008-2011) was the leader of the Democrat Party, and, as such, sought to build Thailand's leadership in the region by pursuing his party's policy of differentiating an authoritarian Burmese government, and promoting a collective ASEAN approach to influence political reforms. One can argue that Abhisit was motivated to reinforce this policy as ASEAN Chair in 2009, in order to increase his government's legitimacy, to demonstrate Thailand's aim for all ASEAN member states to explicitly promote democratization in the region, so as to gain further recognition and support from the

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14/09/11]; Hseng Khio Fah, "Thai Princess on trip to Burma," *Shan Herald*, 16 March 2010, [http://www.shanland.org/index.php?option=com\\_content&view=article&id=2967%3Athai-princess-on-trip-to-burma&Itemid=301](http://www.shanland.org/index.php?option=com_content&view=article&id=2967%3Athai-princess-on-trip-to-burma&Itemid=301) [accessed on 14/09/11].

<sup>189</sup> For details on the concept of sufficiency economy, see Priyanut Piboolsravut, "Sufficiency Economy," *ASEAN Economic Bulletin* 21, No. 1 (April 2004): 127-134.

<sup>190</sup> Diplomat who wishes to remain anonymous 1, interview by author, note taking and tape recording. Ministry of Foreign Affairs, Thailand, 4 June 2010.

international community. As the ASEAN Chair, Abhisit issued a statement on Myanmar, which called on the Burmese government to release all political prisoners, including Daw Aung San Suu Kyi, to enable them to participate in the 2010 General Elections.<sup>191</sup> Moreover, the statement also conveyed a collective ASEAN approach to Myanmar, by mentioning that ASEAN member states were prepared to cooperate with the Burmese government in its efforts to democratize.<sup>192</sup> Abhisit's foreign policy, and his statement as ASEAN Chair, worsened Thai-Myanmar relations, leading to protests by the Burmese government of interference in Myanmar's internal affairs. However, the policies of his opposition, Thaksin's political parties, did not completely improve bilateral relations either. Rather, their different policies, and policy outcomes, demonstrate the difficulties in improving Thai-Myanmar relations at all levels: support for the Burmese government leads to Burmese society's resentment of Thailand, based on the lack of support for democratization, while pressure on the Burmese government to democratize, leads to deteriorating bilateral relations and the potential suspension of bilateral cooperation.

Nevertheless, despite these difficulties, Abhisit sought to improve Thailand's bilateral relations with all its immediate neighbours, including the reversal of differentiation and promotion of assimilation, in order to maintain Thailand's security and economic interests. During Abhisit's premiership, there were efforts by the Ministry of Foreign Affairs to reverse bilateral differentiation in the wider society, especially among the new generation of young people, so that the legacy of differentiation may fade away with the older generations, and be replaced by a trend toward assimilation into a common regional community. For example, there were efforts by the Foreign Ministry to bring Thai and Burmese historians together to rewrite history textbooks based on historical facts, rather than emotionally charged negative

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<sup>191</sup> ASEAN Secretariat, "ASEAN Chairman's Statement on Myanmar," Bangkok, 11 August 2009, <http://www.asean.org/PR-090812-1.pdf> [accessed on 23/09/11].

<sup>192</sup> Ibid.

stereotyping.<sup>193</sup> However, at the time of writing, such history textbooks have not yet been produced, due to a lack of collaboration and funding. In addition to the rewrite of history textbooks, the Thai Foreign Ministry also sought to facilitate assimilation into a regional community by launching an “East Asia Watch” website in June 2010. This website was intended to make foreign policy more transparent, and to introduce a social dimension to foreign policy considerations, in accordance with the aims of the ruling Democrat Party at that time; moreover, the website was intended to promote an expansion of international relations into “public diplomacy,” that is, to promote the people’s role as media by providing them with information on Thailand’s neighbours, together with a space for public discussion and the exchange of views on foreign policy.<sup>194</sup> However, the actual website has no public discussion board, but the option of sending questions to the Ministry of Foreign Affairs. Moreover, the page for articles and comments is written by students and academia, rather than the public in general, which could mean that the website has limited to no public outreach, and shows no evidence of raising public awareness on Thailand’s neighbours and a regional community. In summary, there has been a lack of progress in reversing differentiation at the level of society, due to a lack of follow-up on policies to re-write history textbooks and a lack of funding. With regard to public outreach on the realization of a regional community, there has been increasing news coverage in Thailand from 2010 to the present, on the urgency of becoming more knowledgeable on fellow ASEAN member states, due to the approaching deadline for an ASEAN Community in 2015.<sup>195</sup> As such, one can

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<sup>193</sup> Diplomat who wishes to remain anonymous 2, interview by author, note taking. Ministry of Foreign Affairs, Thailand, 20 July 2011.

<sup>194</sup> Three diplomats who wish to remain anonymous, interview by author, recording and note taking. Ministry of Foreign Affairs, Thailand, 4 June 2010; “East Asia Watch,” <http://www.eastasiawatch.in.th/index.php?> [accessed on 14/09/11].

<sup>195</sup> Observation made by author, but evident in, for example, National News Bureau of Thailand, Public Relations Department, “Special Report: Thailand and ASEAN Community Part 1,” 18 February 2011, <http://thainews.prd.go.th/en/news.php?id=255402180010> [accessed on 24/01/12]; National News Bureau of Thailand, Public Relations Department, “Special Report: Thailand and ASEAN Community Part 2,” 19 February 2011, <http://thainews.prd.go.th/en/news.php?id=255402190008> [accessed on 24/01/12]; National News Bureau of Thailand, Public Relations Department, “Farmers cooperatives urged to prepare for ASEAN

conclude that ASEAN member states which give importance to the ASEAN Community will increase their efforts to promote its realization in the next few years, which includes activities to reverse differentiation and to promote assimilation.

#### **IV. Conclusion**

This chapter tested ASEAN's progress in community building based on the extent of the shift from differentiation to assimilation in Thai-Myanmar relations. The chapter noted the limitations to reversing differentiation, based on historical legacy, the school curriculum, as well as bilateral problems which maintain tension and distrust, namely, cross-border drug-trafficking, the presence of military troops in the border area, and the problem of Burmese political refugees and migrant workers. In addition, Myanmar's domestic politics also complicated improvement of bilateral relations at all levels, since support for the Burmese government led to Burmese society's resentment of the Thai government for not pushing for democratization, while pressure on the Burmese government for political reforms led to worsened state-to-state bilateral relations, which undermines efforts to promote regional cohesion as part of community building. Nevertheless, if one discounts the period in which the Burmese government pursued an isolationist policy, bilateral state-to-state meetings have always indicated, at the very least, a suspension of differentiation, for the purpose of routine exchange of state visits, and mutual recognition of each other's independence and choice of development policies. Thus, the routine exchange of state visits at least provides the minimum baseline for the reversal of differentiation in bilateral relations.

The reversal of differentiation is motivated by the following factors, which tend to improve state-to-state relations, rather than address the underlying sources of differentiation

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Community," 23 January 2012, <http://thainews.prd.go.th/en/news.php?id=255501240002> [accessed on 24/01/12].



(as previously mentioned): the pursuit of economic interests through bilateral trade and multilateral economic frameworks, as well as the aim to consolidate regime security by demonstrating regional leadership in economic development and community building. Chatichai's government introduced a fundamental shift in Thai-Myanmar relations by prioritizing the pursuit of economic interests over good relations between the Thai military in the border area and Burmese ethnic insurgents. Moreover, his government also prioritized the pursuit of economic interests over the protection of human rights in Myanmar, to the extent that it helped repatriate Burmese political dissidents who fled to Thailand, in exchange for logging rights and fishing deals. As such, economic deals may reverse differentiation of the other as a security threat at the state level, but not at the level of society. With regard to the demonstration of regional leadership in economic development, Thaksin's government initiated multilateral economic cooperation frameworks, which are good in projecting a regional identity, and enabling countries to associate with this identity. However, this process of building a regional identity appears to be limited to state actors, and lacked the creation of new narratives of the other at the level of society, which would have contributed to bilateral and regional assimilation. For this reason, there was an incentive to create bilateral frameworks at the society level, such as friendship associations. These associations facilitate community building, in terms of bringing civil servants and non-state actors together, so that they may organize activities to highlight their shared culture. However, they require more support from influential non-state actors at the domestic level, such as businessmen and the elite, who may exert more pressure on state actors for resources and for policies to further promote the reversal of differentiation. Nevertheless, despite its limitations, these associations do indicate that state leaders recognize the importance of improving the quality of intra-regional relations at all levels for community building.

Moreover, state leaders are motivated to advance regional community building, as a means to consolidate regional security, and, thus, protect their own security and economic interests. As a result, there have been initiatives to reverse differentiation in the school curriculum through a re-write of history textbooks, and state-sponsored websites to promote regional awareness and discussions on foreign policy towards the region, in order to introduce more of a social dimension, and to strengthen the community building process. Thus, while the sources of underlying differentiation in history textbooks and popular culture may still remain, they have been recognized by state actors as obstacles to improving bilateral relations, and have stimulated initiatives for revised history, as well as efforts to raise public awareness and to promote public discussions on regional community building. In this regard, there is progress in terms of emerging ideas and policies for reversing differentiation; however, the problem lies in the political support and resources for their implementation, as well as bilateral tensions which resulted from Myanmar's domestic politics and border problems.

### **Chapter Three: The Politicisation, Militarisation and Internationalisation of Thai-Cambodian Conflicts**

This chapter tests ASEAN's progress in community building based on the extent of the shift from differentiation to assimilation in the Thai-Cambodian bilateral relationship. Thai-Cambodian relations share many of the same variables as Thai-Myanmar relations, in terms of challenges from a historical legacy of differentiation, and apprehension over Thailand's apparent hegemonic aspirations; moreover, these two bilateral relationships also share similar variables for the reversal of differentiation, that is, the Thai government's pursuit of economic interests and its aim to demonstrate leadership in regional development and community building. However, despite these similarities, the Thai-Cambodian relationship constitutes a bigger obstacle for regional community building, for two main reasons. First, bilateral differentiation and border conflicts between Thailand and Cambodia have been more internationalised, rather than restricted to the bilateral level. This internationalisation reinforces differentiation, due to the higher political stakes involved, that is, differentiation is not only targeted at a domestic audience, but also at the broader international community, in order to gain their support for bilateral conflicts. The most salient example of the internationalisation of Thai-Cambodian differentiation, and conflicts, is their territorial dispute over the area surrounding Preah Vihear temple, including the presence of military troops and military armed clashes in the contested border area. These factors not only worsen Thai-Cambodian relations, but also undermine the process of ASEAN community building, as well as ASEAN's relevance and credibility, in the wake of ASEAN's failed attempts at third party mediation. Finally, the second reason why the Thai-Cambodian relationship constitutes a bigger obstacle for regional community building than the Thai-Myanmar one, is due to the use of bilateral conflicts for domestic political gains on both sides. In Thailand, an opposition movement sought to undermine the government, by

questioning its handling of Cambodia's application for World Heritage status, for Preah Vihear temple; while in Cambodia, the political leadership referred to the nationalist, anti-Cambodian sentiment in Thailand, to consolidate its power, based on the maintenance of an external security threat. Thus, the reversal of differentiation in bilateral relations is restricted by the linkage between political interests and bilateral conflicts, and by the internationalisation of these conflicts, which indicates the failure of bilateral mechanisms, and the consolidation of differentiation as both a domestic and foreign policy.

Current bilateral conflicts are difficult to resolve since they build on, and consolidate a historical legacy of differentiation from the 11<sup>th</sup> century onwards, especially on the part of Cambodia. Just as Thai nationhood was constructed on differentiation of Myanmar, so Cambodian nationhood was constructed on differentiation of Thailand, which similarly constitutes a major obstacle in improving the quality of bilateral relations at all levels, and promoting a "we feeling" of regional solidarity. The Cambodian leadership's differentiation of Thailand as an aggressive neighbour, and security threat, can be traced back to the 11<sup>th</sup> century. This state-sponsored differentiation is evident in, for example, the Angkor Wat temple complex from that period. The temple includes carvings of Siamese invaders, who were depicted as ugly and cruel, in order to demonize them, and to reinforce the narrative of aggressive Siamese invading and destroying the Angkor civilization.<sup>196</sup> The notion of "victimization" by Siam (renamed Thailand in 1939) is deeply embedded within Cambodia's historical memory, ranging from Siam's invasion in the 11<sup>th</sup> century, to Siam's seizure of Angkor Wat, the symbol of Cambodia's glorious empire, in the 15<sup>th</sup> century, to further seizures of Cambodian territory in subsequent periods.<sup>197</sup> Cambodian historians have

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<sup>196</sup> Kavi Chongkittavorn, "Historical baggage a burden on Thai-Cambodian relations," *The Nation*, 1 July 2008. The former name of Thailand, and Thai people, was Siam, and the Siamese, respectively, until 1939.

<sup>197</sup> David P. Chandler, "The Tragedy of Cambodian History," *Pacific Affairs* 52, No. 3 (Autumn, 1979): 418; L.P. Singh, "The Thai-Cambodian Temple Dispute," *Asian Survey* 2, No. 8 (Oct., 1962): 23; Michael Vickery, "The Composition and Transmission of the Ayudhya and Cambodian Chronicles," in *Perceptions of the Past in*

continued the legacy of differentiation by contrasting an aggressive, expansionist Siam, from the 13<sup>th</sup> to 19<sup>th</sup> century, to the weak victim of Cambodia, which was likened to Siam's vassal state.<sup>198</sup> Moreover, the decline of the Cambodian empire, following Siam's invasions produced a well-known legend entitled "Preah Ko Preah Keo," which is still read as a children's book today, and which narrates how Siam stole Preah Ko and Preah Keo, the symbol of peace and prosperity, from Cambodia. The legend has been popular and influential within Cambodian society. It has also been promoted by Cambodian leaders during times of political tension between the two countries, in order to gain social support for the political regime and the regime's policies.<sup>199</sup> Such use of differentiation maintains a vicious cycle of bilateral tension between states, leading to the state's promotion of differentiation, which can either heighten bilateral tension, and reproduce the same cycle, or escalate the existent bilateral tension into a bilateral conflict, as well as a regional and international issue, due to its potentially wide ramifications. The internationalisation of bilateral disputes between Thailand and Cambodia has already occurred, and only reinforces the state's differentiation of Thailand throughout history, while maintaining public consciousness of a neighbouring security threat.

From the Second World War to the 1980s, the Cambodian government reinforced its differentiation of Thailand as a security threat, based on Thailand's collaboration with third countries to seize more Cambodian territory; moreover, Thailand was differentiated as a growing security threat due to its allies, especially the US, and regional powers such as Japan and China.<sup>200</sup> During the Second World War, the Cambodian government differentiated

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*Southeast Asia*, edited by Anthony Reid and David Marr (Singapore: Heinemann Educational Books (Asia) Ltd., 1979), 134-135, 146.

<sup>198</sup> Vickery, "The Composition and Transmission of the Ayudhya and Cambodian Chronicles," 134-135, 154.

<sup>199</sup> See Kimly Ngoun, "The Legend of Preah Ko Preah Keo and Its Influence on the Cambodian People's Perception of the Thais," MA thesis in Southeast Asian Studies, Chulalongkorn University, Thailand, <http://www.seachula.com/b28.html> [accessed on 10/10/11].

<sup>200</sup> See Ministry of Foreign Affairs, People's Republic of Kampuchea, *Thai Policy vis-à-vis Kampuchea* (Kampuchea: Ministry of Foreign Affairs, People's Republic of Kampuchea, 1983), 3. The Kingdom of

Thailand as a growing security threat, not only due to collaboration with third countries against Cambodia, but also against other neighbouring countries, which implied hegemonic ambitions. For example, it was claimed that the Thai government sought to use Japanese power against Cambodia, while also accommodating the US military in an attempt to weaken all its neighbours.<sup>201</sup> Differentiation of Thailand was not only restricted to the bilateral level, but was also taken to the international level, which further institutionalized the policy since it was communicated to, and recognized by, the wider international community. The Ministry of Foreign Affairs of Kampuchea (Cambodia) took differentiation to an international level when it published a booklet on “Thai Policy vis-à-vis Kampuchea” in 1983. The purpose of this booklet was to undermine Thailand as the frontline state against a Vietnamese-sponsored Cambodian government, as well as to undermine Thailand’s bid to serve as a non-permanent member of the UN Security Council in 1984.<sup>202</sup> Vietnam’s occupation of Cambodia and the bipolar structure of the international system during the Cold War contributed to the wider ramifications of bilateral differentiation, in that differentiation of the other was not only used to consolidate one’s nationhood, but also used to undermine the other’s international relations. Such use of differentiation within a wider international setting increased bilateral tension, while consolidating the habit of taking bilateral disputes to the international level, and not having faith in, or neglecting the possibility of any regional mechanisms.

This chapter seeks to demonstrate the advances and limitations in reversing differentiation in the Thai-Cambodian relationship. It is divided into three sections. Section I analyses the economic and political incentives for reversing differentiation from 1988

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Cambodia has changed its name many times since independence: 1) Under the rule of the monarchy 1953-1970, it was the Kingdom of Cambodia; 2) Under the Lon Nol led government 1970-1975: the Khmer Republic; 3) Under the Communist Khmer Rouge 1975-1979: Democratic Kampuchea; 4) Under the rule of the Vietnamese sponsored government 1979-1989: the People’s Republic of Kampuchea; 5) Under the rule of the United Nations transitional authority 1989-1993: the State of Cambodia; After the restoration of the monarchy in 1993: the Kingdom of Cambodia.

<sup>201</sup> Charnvit Kasetsiri, “Thailand-Cambodia: A Love-Hate Relationship,” March 2003, <http://www.charnvitkasetsiri.com/PDF/Thailand-Cambodia.pdf> [accessed on 28/09/11].

<sup>202</sup> Thailand won the bid and served on the UN Security Council in 1985-1986.

onwards; for example, Thailand's pursuit of economic interests and the aim to demonstrate leadership in regional development and community building. Section II analyses the underlying threats to the reversal of differentiation in the post-Cold War period, such as the Cambodian state and Cambodian society's perceptions of Thailand's hegemonic aspirations. Finally, section III analyses the politicisation, militarisation and internationalisation of differentiation from 2008-2011. More specifically, it analyses the difficulties in reversing differentiation, based on high political stakes, the presence of military troops in the contested border area, as well as the failure of regional mediation, and implications for community building. Thus, the chapter concludes that the Thai-Cambodian relationship remains largely characterized by differentiation, due to domestic political interests and the involvement of the military in a bilateral territorial dispute. However, progress in assimilation is also noted, in the form of an increasing number of non-state actors who are raising awareness of Thai-Cambodian similarities, emphasizing Thailand's national and regional interests, and mobilizing society to call for peaceful bilateral relations.

### **I. Economic and Political Incentives for Reversing Differentiation (1988 onwards)**

Similar to Thai-Myanmar relations, Thai-Cambodian relations also experienced a reversal of differentiation, based on the pursuit of economic interests. Thai Prime Minister Chatichai Choonhavan (1988-1991) was a military officer, turned businessman-politician, who sought to expand Thailand's trade by reversing differentiation of Indochina, replacing perceptions of the Cold War ideological divide with "trade-based realism," and emphasizing economic cooperation over historical animosity.<sup>203</sup> Chatichai was provided with an opportunity to shift the focus of Thailand's foreign policy from national security to trade expansion, due to the anticipated end of the Cambodian conflict (or Vietnam's invasion and

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<sup>203</sup> See Paul W. Chambers and Siegfried O. Wolf, "Image-Formation at a Nation's Edge: Thai Perceptions of its Border Dispute with Cambodia – Implications for South Asia," *Heidelberg Papers in South Asia and Comparative Politics*, Working Paper No. 52 (Feb., 2010): 9-10.

occupation of Cambodia) by 1988. Moreover, the aim for trade expansion had already been promoted by his predecessor, Prem Tinsulanond, based on Thailand's rapid economic growth from 9.5% in 1987, to 13.2% in 1988.<sup>204</sup> At the time, the nature of the Thai economy was undergoing rapid change, as agriculture formed a decreasing percentage of gross domestic product (GDP), while manufacturing's share increased, together with the demand for trade and markets. Chatichai saw Indochina as a solution for this demand. As such, he sought to justify the reversal of differentiation, and the promotion of economic cooperation, in the following ways. First, he announced that Thailand would now pursue an "independent" foreign policy, given that the basis for its reliance on external security support from the US was gradually being removed. This meant that Thailand was no longer obliged to follow the US position towards Indochina. Second, he emphasized the importance of developing economic relations with Indochina for mutual economic benefits, as well as for the benefit of regional development as a whole. Third, he justified economic cooperation with Indochina as means to consolidate regional security, by integrating Indochina into the community of Southeast Asian states.<sup>205</sup> Thus, economic and security-related incentives motivated the reversal of differentiation in Thailand-Indochina relations in general, and Thai-Cambodian relations in particular.

Under Chatichai's premiership, the reversal of differentiation was specifically pursued to satisfy the domestic demand for trade, and to place Thailand in a strategically advantageous position, given the changing regional dynamics from the US military withdrawal and the approaching end of the Cambodian conflict. When Chatichai came to power, Thailand's natural resources, such as forests, minerals, wild animals and aquatic

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<sup>204</sup> Leszek Buszynski, "Thailand's Foreign Policy: Management of a Regional Vision," *Asian Survey* 34, No. 8 (Aug., 1994): 723.

<sup>205</sup> See *ibid.*



animals, were rapidly decreasing, and insufficient for domestic consumption and industry.<sup>206</sup> In the search for supplementary raw materials, Chatichai promoted international economic cooperation and the expansion of Thailand's trade to other countries, irrespective of their political ideology and political system. He was driven by geopolitical and economic incentives to reverse differentiation, in terms of promoting national security through peaceful relations, and trade with neighbouring countries, respectively. As a result, he sought to change the political mind-set of Thailand and the US, versus Communist Indochina and the Soviet Union, to Thailand and Indochina's joint development. This involved reversing differentiation of Indochinese countries – Cambodia, Laos and Vietnam – as a security threat, and instead depicting them as Thailand's new trade partners.<sup>207</sup> Chatichai's international outlook had huge implications for Thailand's foreign policy after the end of the conflicts in Indochina, since it enabled his government to be opportunistic and to initiate the policy of turning Indochina's "battlefields into marketplaces."<sup>208</sup> Thus, the reversal of differentiation was stimulated by changing dynamics at many levels: US withdrawal at the international level, the end of the Cambodian conflict at the sub-regional level, and economic demand at the national level.

*Economics-Driven Foreign Policy and the Reversal of Differentiation (Post-Cold War Period)*

In the post-Cold War period, the reversal of differentiation was precipitated by changing economic dynamics at many levels: the competitive demands of the global economy, which prompted Southeast Asian countries to work towards more economic

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<sup>206</sup> See Venika Boonma-kee, *Burma: Thai Foreign Policy under Chatichai Choonhavan's Government* (Bangkok: The Thailand Research Fund, 1997).

<sup>207</sup> See Leszek Buszynski, "Thailand and Myanmar: the perils of 'constructive engagement,'" *The Pacific Review* 11, No. 2 (1998): 290-305.

<sup>208</sup> See Chris Baker, and Pasuk Phongpaichit, *A History of Thailand* (Cambridge: Cambridge University Press, 2005), 241; Leszek Buszynski, "New Aspirations and Old Constraints in Thailand's Foreign Policy," *Asian Survey* 29, no. 11 (Nov., 1989): 1059-1061.

interconnectedness; and Thailand's continued rapid economic development, in the absence of an external security threat, which again increased demand for trade and markets. Thai Prime Minister Thaksin Shinawatra (2001-2006) grasped the opportunities provided by these changing dynamics in his implementation of an economics-driven foreign policy. Thaksin was motivated to consolidate national economic growth by promoting economic interconnectedness within the region, and went about doing so by building working relationships with neighbouring countries, and thereby signalling the reversal of differentiation for mutual economic benefits. Like Chatichai, Thaksin was motivated to improve Thailand's relations with former Indochina, due to their abundance in raw materials, manufacturing for Thai businesses, as well as markets for Thai products.<sup>209</sup> In this regard, former Indochina became differentiated as less developed, raw material providing countries, rather than a security threat. Their abundance in raw material motivated Thaksin's government to facilitate trade by investing in infrastructure, such as the construction of roads and railways; while their less developed economic situation opened opportunities for his government to demonstrate Thailand's status as a newly emerging donor country through the provision of developmental assistance.<sup>210</sup> For example, in the fiscal year of 2003, the Thai government invested 67,314 Baht in bilateral cooperation programmes with Cambodia, and in 2004, a reduced amount of 24,066 Baht, due to increased allocations to other countries, such as Laos, Myanmar, and Timor Leste.<sup>211</sup> Thus, economic incentives, and the incentive to upgrade Thailand's status in the international community, motivated the reversal of differentiation through development cooperation.

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<sup>209</sup> See Narayanan Ganesan, "Thaksin and the Politics of Domestic and Regional Consolidation in Thailand," *Contemporary Southeast Asia* 26, No. 1 (April 2004): 33.

<sup>210</sup> See, for example, "Thailand Pledges \$432m Aid for Neighbours," *Straits Times*, 14 November 2003.

<sup>211</sup> *Thailand International Cooperation Programme 2003-2004 Report* (Bangkok: Thailand International Development Cooperation Agency, 2005), 64, 78.

### *Political-Business Interests and the Reversal of Differentiation*

Thaksin was driven by political and business interests to reverse differentiation of Thailand's neighbours. In terms of political interest, he sought to demonstrate his government's capability to maintain peace, and to promote trade, in the Thai-Cambodian border area. Given that this border area is mainly populated by Thaksin's political supporters, his attention to, and promotion of their security and economic interests was expected to secure their continued support, and to maintain his party in power.<sup>212</sup> In addition to domestic political interests, Thaksin was also motivated by business interests to strengthen his personal ties with the Cambodian Prime Minister, Hun Sen, and to reverse differentiation by building a Thai-Cambodian business partnership. The importance that Thaksin gave to this partnership is evident in the many number of visits he paid to Cambodia as Prime Minister of Thailand: at least eight visits were recorded altogether, of both an official and private nature.<sup>213</sup>

Thaksin's business relationship with Hun Sen dates back to 1997, when he signed telecommunications deals with Cambodia through his company Cambodia Shinawatra, or CamShin, which generated revenues as high as 4.3 billion Baht in 2003.<sup>214</sup> His business-centred, close relationship with Hun Sen resulted in a bilateral relationship that tended more towards a functional and personalized nature, rather than a normative and institutionalized one. Personalized bilateral relations do not guarantee sustained reversal of differentiation, since this policy may be dependent on particular state leaders, or a particular political party. In order for the reversal of differentiation to be sustained, and developed, there was a need to institutionalize it as a foreign policy, which could be maintained by state institutions, such as the Foreign Ministry. This institutionalized intent to reverse differentiation is more likely to

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<sup>212</sup> Pavin Chachavalpongpun, *Reinventing Thailand: Thaksin and His Foreign Policy* (Singapore: Institute of Southeast Asian Studies, 2010), 162-163.

<sup>213</sup> Ibid., 170; "Gold Rush Follows Thaksin," *Bangkok Post*, 14 September 2008, <http://www.ki-media.blogspot.com/2008/09/thaksins-reported-investment-in-koh.html> [accessed on 03/10/11].

<sup>214</sup> Chachavalpongpun, *Reinventing Thailand*, 171; Shawn W. Crispin, "Shooting for the Stars," *Far Eastern Economic Review*, 30 May 2002.

promote consistent, stable relations in the long-term and thereby facilitate progress towards bilateral and regional assimilation. Thaksin perceived the need to initiate activities that would reverse differentiation for long-term security and economic interests, since economic cooperation was not enough to achieve this goal. Economic cooperation may increase bilateral cooperation and potentially decrease conflict; however, it does not necessarily reverse differentiation of the other, as states are able to trade with each other while maintaining mutual distrust and suspicion, as in the case of Thailand and Cambodia. Thus, bilateral economic exchanges are inadequate for the complete reversal of differentiation and community building.

#### *Economic Investments and Status in the International Community*

Thaksin was motivated to reverse differentiation in order to facilitate Thai investments in Cambodia, and to consolidate Thailand's status as a new donor country through the provision of developmental assistance. These incentives are evident in the objectives of Thai-Cambodian cooperation, as stated by the Thailand International Development Cooperation Agency (TICA), which is a branch of the Foreign Ministry.<sup>215</sup> According to these objectives, the provision of developmental assistance to Cambodia was intended to facilitate Thai investments by "(promoting) Cambodia's capacity and preparation for further development."<sup>216</sup> Moreover, developmental assistance to Cambodia was expected to have a positive impact on Thailand, in terms of expanded trade and markets, as well as to upgrading Thailand's status in the international community, by strengthening its relations with other donor countries operating in Cambodia.<sup>217</sup> In this regard, the reversal of differentiation was primarily pursued for Thailand's economic and international interests,

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<sup>215</sup> Thailand International Development Cooperation Agency, "Summary of Thai-Cambodian Cooperation for International Development Strategy 2008-2011," obtained by author in October 2008.

<sup>216</sup> Ibid.

<sup>217</sup> Ibid.

rather than a broader regional interest of community building. Cambodian society perceived the pursuit of these narrow interests, which is why developmental assistance has not reversed differentiation; moreover, the reversal of differentiation is also made difficult by Cambodian society's perception of Thai people, as having a superiority complex, and looking down on Cambodia as a less economically developed country.<sup>218</sup> This is one of the reasons why Cambodians prefer to receive developmental assistance from other countries. The failure of Thailand's developmental assistance in reversing differentiation and improving the bilateral relationship is confirmed, and explained by a former Thai Ambassador to Cambodia, Prasas Prasasvinitchai (2010-2011), who stated that

developmental assistance has little impact. The Cambodian people see Thailand's developmental assistance as serving Thai interests; for example, they see the building of roads as for our own trade... We need to look after Cambodian scholars so that they do not get looked down on when they come to study in Thailand, and so that they can go back with good perceptions... Cambodia has contacts with other countries like Japan, Korea and France, and does not want scholarships from Thailand... We used to be big economically in Cambodia, but now there is China, Singapore and France.<sup>219</sup>

Thus, developmental assistance did not reverse Cambodia's differentiation of Thailand, but rather reinforced its differentiation of Thailand as a neighbouring threat that exploits and looks down on others.

### *Leadership in Regional Development and Community Building*

Thaksin was motivated to reverse differentiation in order to demonstrate leadership in regional development and community building, and thereby strengthen Thailand's status in the international community. In this endeavour, he initiated multilateral economic frameworks, which were intended to promote a common regional identity, by encouraging

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<sup>218</sup> See, for example, "A Cambodian chats about Thais," *Lonely Planet Thorn Tree Forum*, 13 December 2009, <http://www.lonelyplanet.com/thorntree/thread.jspa?threadID=1518706> [accessed on 05/02/12].

<sup>219</sup> Prasas Prasasvinitchai, interview by author, note taking. Ministry of Foreign Affairs, Thailand, 5 August 2010.

member countries to associate with each other as part of a common entity, with a shared aim for sustainable economic growth and regional consolidation. One prominent multilateral economic framework that was set up by Thaksin's government is the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS), which was established in 2003. ACMECS includes Cambodia, Lao PDR, Myanmar and Thailand, with Vietnam joining in 2004. ACMECS was formed to address the economic gaps between countries in the region by promoting bilateral and multilateral economic cooperation. Such cooperation was expected to strengthen a sense of regional solidarity and regional identity, since member countries would be helping each other to reach similar levels of economic development, and working together to increase their mutual economic benefits.<sup>220</sup> The official aims of ACMECS indicate a reversal of differentiation and the promotion of a regional community, since ACMECS was intended to serve as a "building block" for ASEAN.<sup>221</sup> However, ACMECS has thus far promoted increasing functional cooperation, rather than normative cooperation in reversing differentiation between member countries and promoting regional awareness in society. For example, the Phnom Penh Declaration on ACMECS, in November 2010, noted that ACMECS played a role in facilitating functional cooperation in many areas: trade and investment, agriculture, industry and energy, transport linkages, tourism, human resource development, public health, and the environment.<sup>222</sup> This functional cooperation reduces the incentive, and likelihood of intra-regional conflict. However, it does not necessarily reverse societies' differentiation of the other, or improve the quality of intra-regional relations. This requires wider and deeper changes in social perceptions, attitudes, and discourse, which can only be implemented through the generation, acceptance, and adoption of new narratives of the other.

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<sup>220</sup> ACMECS Official Site, "About ACMECS," <http://www.acmeecs.org/?id=9> [accessed on 03/10/11].

<sup>221</sup> Ibid.

<sup>222</sup> ACMECS Official Site, "Phnom Penh Declaration on the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy," Phnom Penh, the Kingdom of Cambodia, 17 November 2010, [http://www.acmeecs.org/fileadmin/Meeting\\_Doc/Nov\\_2010/1.pdf](http://www.acmeecs.org/fileadmin/Meeting_Doc/Nov_2010/1.pdf) [accessed on 03/10/11].

## II. Underlying Threats to the Reversal of Differentiation (Post-Cold War Period)

In the post-Cold War period, the underlying threats to the reversal of differentiation include Cambodian society's differentiation of Thailand, based on their state's historical narratives. This differentiation is heightened by Cambodian society's perception of the Thai state's distorted historical narratives, and the potential threat of this narrative being recognized by the international community, and overshadowing their own. The mainstream Thai historical narratives tend to similarly differentiate neighbouring states, including Cambodia, as a means to develop, and to consolidate, Thai nationhood. One exception is historical narratives by a Thai scholar, Charnvit Kasetsiri, which, for example, includes the Thai government's seizure of Cambodian territory during the Second World War with Japanese assistance.<sup>223</sup> Charnvit is part of a growing number of non-state actors, who seek to promote peaceful bilateral relations from the bottom-up, by reversing society's differentiation of the other, which has been influenced by state-led discourse. For example, Charnvit seeks to demonstrate how Cambodia was not always differentiated as a security threat, but rather how the Siamese (Thai) Kingdom had an admiration for anything Khmer (Cambodian) from the 13<sup>th</sup> century onwards, which led to its adoption of Khmer art and culture.<sup>224</sup> In this age of the internet and social media, Cambodian bloggers are able to access Charnvit's work online with ease, which has resulted in a discussion on how his work is a refreshing departure from what Cambodian state actors have described as Thai leaders' indoctrination, and brainwashing of the Thai people with distorted history.<sup>225</sup> In a "Cambodia Forum" website, Cambodian bloggers made a contrast between the majority of Thai people and Charnvit, who

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<sup>223</sup> Kasetsiri, "Thailand-Cambodia: A Love-Hate Relationship."

<sup>224</sup> Ibid.

<sup>225</sup> Cambodia Forum, "Charnvit Kasetsiri, a Siamese who dare to speak the REAL history of Thailand," <http://www.topix.com/forum/world/cambodia/TI406513N71KVP0PJ> [accessed on 30/09/11]. Capitalized letters in original text.

they said “dared” to write about “Thailand’s real history.”<sup>226</sup> This discussion demonstrates that a negative perception of Thailand runs deep in Cambodian society, based on what is described as the Thai state’s manipulation and distortion of history, and the consequent disillusion of Thai society in thinking that they need to reclaim territory from Cambodia. It is argued that this disillusion fuels bilateral conflicts, such as the one surrounding Preah Vihear Temple, to the extent that it became a regional and international issue, which exposed the competing narratives that should not have been a problem in the first place. In this regard, the reversal of differentiation in Thai-Cambodian relations is hindered by deeply embedded negative perceptions of Thailand on the part of Cambodia, which strongly indicate that the Thai state is not to be trusted, and that it propagates false information to protect regime security to the expense of peaceful international relations.

*Perceptions of Thailand’s Hegemonic Aspirations (Post-Cold War period)*

Similar to Thai-Myanmar relations, Thai-Cambodian relations were also fraught with apprehension over perceptions of Thailand’s hegemonic aspirations in the post-Cold War period. The Cambodian government and Cambodian society differentiated Thailand as an aspiring hegemon, based on perceptions of Thai businesses’ exploitation and domination of the Cambodian market. Moreover, Thailand was also differentiated as a threat to the Cambodian identity, due to its extensive cultural presence in the form of soap operas. This overwhelming economic and cultural Thai presence led to a growing nationalist anti-Thai sentiment, to the extent that Cambodian Prime Minister Hun Sen had to ban Thai dramas at one point.<sup>227</sup> Thus, improvements in Thai-Cambodian relations were hindered by suspicions and apprehension over Thailand’s increasing influence on Cambodia’s economy and society.

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<sup>226</sup> Ibid.

<sup>227</sup> Chongkittavorn, “Historical baggage a burden on Thai-Cambodian relations.”



Threat perceptions in bilateral relations maintain a high probability of conflict, since suspicions and apprehension of the other can easily be triggered by any provocation to produce a strong, nationalist backlash. For example, reports in the Cambodian news on a purported remark by a Thai actress, Suwannan Konying, triggered anti-Thai protests in 2003. According to these reports, Suwannan stated that she would not go to Cambodia unless Angkor Wat was returned to Thailand.<sup>228</sup> Given that Angkor Wat is an important symbol of Cambodian civilization and cultural heritage, Suwannan's alleged statement led to attacks by nationalist mobs on about a dozen Thai businesses in Cambodia, including Cambodia Shinawatra (a telecommunications company set up by the Thai Prime Minister at the time, Thaksin Shinawatra) and the Royal Phnom Penh Hotel. The strong nationalist backlash involved a day of attacking Thai businesses, flag burning, and anti-Thai chanting; before the mobs made their way to the Thai embassy in the evening, set it on fire, and made bonfires of furniture, motorcycles and cars.<sup>229</sup> The extent of the nationalist backlash reflects the deeply embedded differentiation of Thailand as Cambodia's enemy, and one which remains inclined to encroach on Cambodian territory. This perception is supported by interviews from the scene. For example, a Reuters reporter interviewed a Cambodian law student, who was taking part in the protests, and who explained that "the protest is because we hate the Thais inside Cambodia and because the Thais encroach on Cambodian border territory."<sup>230</sup> The overwhelming Cambodian nationalist anti-Thai sentiment reached such an extent that the Cambodian Defence Minister, Teah Banh, had to send more military troops to Phnom Penh,

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<sup>228</sup> Andrew T.H. Tan, *Southeast Asia: Threats in the Security Environment* (Singapore: Marshall Cavendish, 2006), xxix; Reuters, "Cambodians riot at alleged remark," *TV New Zealand*, 3 January 2003, <http://tvnz.co.nz/content/164931/425822.html?cfb=3> [accessed on 09/03/10]; Robert Carmichael, "Anti-Thai riots: Cambodia counts the costs," *Asia Times Online*, 31 January 2003, [http://www.atimes.com/Southeast\\_Asia/EB01Ae05.html](http://www.atimes.com/Southeast_Asia/EB01Ae05.html) [accessed on 09/03/10]; "Mob torches Thai embassy in Cambodia," *ABC News Online*, 30 January 2003, <http://www.abc.net.au/news/newsitems/2003/01/5772613.htm> [accessed on 09/03/10]; "Anti-Thai riots spreading in Cambodia, police open fire," *The China Post Taiwan*, 30 January 2003, <http://www.chinapost.com.tw/taiwan/2003/01/30/34577/Anti-Thai-riots.htm> [accessed on 09/03/10].

<sup>229</sup> Reuters, "Cambodians riot at alleged remark."

<sup>230</sup> Quoted in *ibid.*

to aid the military and police already stationed there. As Teah Banh told a Thai television station, “we have had to call in big reinforcements in every area because police could not control the situation. There are stand-offs now at so many places.”<sup>231</sup> This incident in 2003 demonstrates the fragility of Thai-Cambodian relations. It also demonstrates how bilateral differentiation has the potential to escalate into violence, thereby further undermining progress towards a regional community based on trust and peaceful relations.

The anti-Thai riots in Cambodia precipitated policies of retaliation on the Thai side, which further worsened the bilateral relationship and restricted the emergence of a community “we feeling” between the two countries. The Thai Prime Minister at the time, Thaksin Shinawatra, highlighted the severity of the anti-Thai riots by describing them as “the worse incident ever” between the two countries, and by expelling the Cambodian Ambassador to Thailand “for his own safety.”<sup>232</sup> This expulsion added to Cambodia’s differentiation of Thailand as a security threat since it signalled the possibility of anti-Cambodian protests taking place in Thailand. Moreover, the expulsion of the Cambodian Ambassador also downgraded the two countries’ diplomatic relations and, in doing so, further undermined progress towards a regional community based on mutual recognition and assimilation. Other retaliatory measures included the suspension of all economic and technical assistance to Cambodia, pending full explanation and compensation. In addition, the Thai Foreign Ministry also criticized the Cambodian government for its inadequate response to repeated pleas for protection from the Thai Ambassador to Cambodia, which implied its support for the anti-Thai riots. The Cambodian authorities dismissed such a claim by replying that their inadequate response stemmed from their underestimate of the riots’ potential for violence. However, many Thais were sceptical, and accused the Cambodian government of

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<sup>231</sup> Quoted in *ibid.*

<sup>232</sup> Quoted in Carmichael, “Anti-Thai riots.”

orchestrating the protests, and of deliberately delaying the deployment of aid.<sup>233</sup> This suspicion on the Thai side highlighted the mutual inherent distrust between the two countries, and only served to maintain a cold distance between them, as well as bilateral tensions. Thus, mutual distrust and differentiation between Thai and Cambodian societies hinder any prospects for a positive outcome to dialogue, such as mutual understanding, and restrict the improvement of bilateral relations, as part of regional community building.

The extent of anti-Thai riots demonstrated the underlying fear of Thailand's growing reach into Cambodian territory, which was already evident in Cambodian markets and Cambodian television: such an underlying fear of the other constitutes a major obstacle to reversing differentiation in a bilateral relationship. Cambodian scholars explain that this underlying fear was based on the potential negative impact of Thailand's extensive presence on efforts to reconstruct a Cambodian identity after their civil war and occupation by Vietnam; they also argue that Cambodian society gave vent to this fear and frustration by participating in the anti-Thai riots.<sup>234</sup> For example, the Executive Director of the Phnom Penh-based Cambodian Institute for Cooperation and Peace, Kao Kim Hourn, explains that Cambodian society was apprehensive of a "Thailandization of Cambodia" and that they felt like there were "losing out to Thailand."<sup>235</sup> Some Cambodians reinforced this argument by referring to how Thai television was affecting the Cambodian identity. For example, one Cambodian businessman observed that there was fear and resentment in society that the Thai way of living, as portrayed in Thai soap operas, was being pursued to the expense of the Khmer way of living.<sup>236</sup> Such fear and resentment against the other breeds nationalist frustration, and tends to be exploited by state actors, through political statements and the

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<sup>233</sup> Ibid.

<sup>234</sup> See Marwaan Macan-Markar, "Cambodia: Identity crisis surfaces after riots," *Asia Times Online*, 28 February 2003, [http://www.atimes.com/atimes/Southeast\\_Asia/EB28Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/EB28Ae01.html) [accessed on 04/10/11].

<sup>235</sup> Quoted in *ibid.*

<sup>236</sup> Quoted in *ibid.*

media, in order to protect regime security. Thus, the tendency of state actors to maintain differentiation in order to stay in power hinders progress towards realizing regional solidarity and a community “we feeling.”

*National Security and the Reversal of Differentiation (2003-2004)*

After the anti-Thai riots in Cambodia, in 2003, both the Thai and Cambodian governments were motivated to reverse differentiation for national security. In this endeavour, the Thai and Cambodian Ministry of Foreign Affairs established a Thai-Cambodia Joint Commission for the Promotion of Cultural Cooperation (later renamed the Thailand-Cambodia Cultural Association) in 2004. The Joint Commission sought to produce a shift from differentiation to assimilation in bilateral relations; more specifically, it sought to produce a shift from the emphasis on victimization by Thailand in Cambodia’s historical memory, and the Thai people’s memory of anti-Thai riots in Cambodia, towards an emphasis on the two countries’ shared historical and cultural heritage. The aim in emphasizing a shared past and a shared heritage, was to highlight commonalities between the two countries and two peoples, thereby reversing differentiation and creating a basis for progress towards assimilation. Thai and Cambodian government officials noted that education and the media have a strong influence on society’s perceptions, and that the reversal of differentiation thus requires media and academic support. These aims and views were reiterated at the first meeting of the Thai-Cambodia Joint Commission for the Promotion of Cultural Cooperation, in May 2004. At the meeting, the Thai Co-Chairman of the Commission emphasized the importance of reversing differentiation, in terms of promoting mutual respect for each other’s history and culture, mutual recognition of shared history and cultural heritage, and a shared

identity as fellow members of ASEAN.<sup>237</sup> Moreover, he also promoted the reversal of differentiation by encouraging the exchange of peoples, ideas, and knowledge, as well as public outreach through cooperation with the media.<sup>238</sup> As a result of the meeting, participants agreed to explore the possibility of setting up working groups on history and culture education, in order to make historical narratives less nationalistic (thereby reversing differentiation), and to promote a shared identity.<sup>239</sup> However, such working groups did not materialize till two years later, when the renamed Thai-Cambodia Cultural Association created three sub-committees on culture, history and tourism. In the meantime, there were efforts to raise awareness, and to promote a shared historical and cultural heritage through bilateral meetings between government officials and academia, as well as lectures to university students. For example, in August 2004, a group of Cambodian cultural officers, researchers, and one designer and architect, went on a field trip to Thailand, to discuss the objectives of the Thai-Cambodia Cultural Association with their counterparts.<sup>240</sup> The field trip promoted bilateral cooperation, by enabling government officials and academia to exchange their knowledge and experience in cultural heritage and conservation.<sup>241</sup> However, bilateral exchanges during the field trip were only limited to the actors involved, and to the students who attended a lecture on Cambodian history, which was given by a Cambodian researcher at the Faculty of Archaeology, Silpakorn University. This is just one example of the minimal impact that the Thai-Cambodia Cultural Association has on improving bilateral relations. As noted by the Thai Ambassador to Cambodia, Prasas Prasasvinitchai (2010-2011):

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<sup>237</sup> Royal Thai Embassy, Phnom Penh, "Opening Remarks by Dr. Tej Bunnag, Co-Chairman, at the First Meeting of Thai-Cambodian Joint Commission for Promotion of Cultural Cooperation, 18 May 2004, Phnom Penh," <http://www.mfa.go.th/internet/document/860.pdf> [accessed on 08/03/10].

<sup>238</sup> Ibid.

<sup>239</sup> Royal Thai Embassy, Phnom Penh, "Closing Remarks by Mr. Tej Bunnag, Co-Chairman of the Thailand-Cambodian Commission for Promotion of Cultural Cooperation, at the Closing Session of the First Commission Meeting, 19 May 2004, Phnom Penh," <http://www.mfa.go.th/internet/document/862.pdf> [accessed on 08/03/10].

<sup>240</sup> For a list of participants who took part in this discussion, see Royal Thai Embassy, Phnom Penh, "Study visit to Thailand of Cambodian Artisans and Cultural Officers," August 2004, <http://www.mfa.go.th/internet/document/1109.pdf> [accessed on 08/03/10].

<sup>241</sup> See *ibid.*

It [the Thai-Cambodia Cultural Association] is not as active as we would like...there is the issue of funding to organize meetings between different groups of people and there is no coordinated action...The trouble with trying to promote people-to-people relations is that everyone is worried about bilateral relations between the two governments, and they are scared about what will happen.<sup>242</sup>

For these reasons, the Thai-Cambodia Cultural Association has been inactive since 2004, when the urgency of repairing bilateral relations after the anti-Thai riots had waned. Thus, efforts to shift differentiation towards assimilation were hindered by the lack of political will, which contributed to a lack of funding and coordination, as well as continued differentiation and tensions between the two governments.

### **III. The Politicisation, Militarisation, and Internationalisation of Differentiation (2008-2011)**

Domestic politics and business relations between state leaders worsened differentiation between Thailand and Cambodia in 2008. At the time, the Cambodian government, as personified by Prime Minister Hun Sen, was differentiated as an enemy of Thailand, due to its support for Thaksin, who was then a political fugitive. Thaksin was in self-imposed exile to escape a prison term for corruption. However, despite his status as a political fugitive, Thaksin was still recognized and treated as a legitimate state actor by Hun Sen. Moreover, Hun Sen defended Thaksin, stating that he was a victim of the Thai political system, and explicitly showed his support by enabling Thaksin to expand his business deals with the Cambodian government, and by offering him a position as the Cambodian government's economic advisor, which he accepted. Hun Sen's defence and support for Thaksin resulted in Thai society's differentiation of him as a political and security threat, due to his interference in Thailand's domestic politics. Hun Sen's relationship and business deals with Thaksin were closely followed by the Thai media, especially after speculation in Thai

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<sup>242</sup> Prasas Prasasvinitchai, interview by author.

society that Thaksin's political party had compromised Thailand's national interest in exchange for Thaksin's business ventures.<sup>243</sup> This speculation emerged after Thaksin's personal lawyer and then Foreign Minister, Noppadon Pattama (2008), visited Cambodia to discuss the UNESCO World Heritage listing of Preah Vihear temple, and was shortly followed by a visit to Cambodia by Thaksin, to negotiate big investment projects.<sup>244</sup> The proximity of these two visits led to speculation that they were related to each other; more specifically, that Cambodia's agreement to Thaksin's investment was conditional on the Thai government's support for Cambodia's listing of Preah Vihear temple. This speculation demonstrates how domestic politics and personal/business relations between state leaders can worsen differentiation in bilateral relations. On the Cambodian side, Thailand was also differentiated as a source of political threats, when the Cambodian opposition party argued that Thaksin was trouble, and that he only wanted to use Cambodia as a base for political activities in Thailand.<sup>245</sup> Thus, domestic politics and personal/business relations between state leaders hindered the reversal of differentiation in the bilateral relationship by maintaining mutual distrust, and suspicion, in political and social discourse.

Hun Sen's support for Thaksin was a source of bilateral conflict, which heightened Thai society's differentiation of Cambodia as a political threat, especially under the premiership of Thaksin's opposition, Abhisit Vejjajiva (2008-2011). Hun Sen's appointment of Thaksin as an economic advisor to this government in November 2009 was interpreted as a deliberate demonstration of his taking sides in Thailand's domestic politics, and interference in Thai politics, due to his support for a political fugitive, who was exacerbating Thailand's

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<sup>243</sup> "Gold Rush Follows Thaksin."

<sup>244</sup> Chachavalpongpun, *Reinventing Thailand*, 173; Wassana Nanuam, "Thaksin Set to Invest Big Time in Cambodia," *Bangkok Post*, 19 June 2008, <http://www.pages.citebite.com/h5q7j9v4dnqg> [accessed on 03/10/11]; Chambers and Wolf, "Image-Formation at a Nation's Edge," 15.

<sup>245</sup> "Gold Rush Follows Thaksin."

political polarization.<sup>246</sup> Moreover, Hun Sen's refusal to cooperate with Abhisit's government and his verbal attacks on the Thai political system further added to the Thai state and society's differentiation of Cambodia as a threat that sought to weaken Thailand through political means. For example, Hun Sen refused Abhisit's request to extradite Thaksin from Cambodia, arguing that Thaksin was a victim of political persecution. Moreover, Hun Sen's government also expressed its support for Thaksin to the international community, while undermining the legitimacy of Abhisit's government. For example, , the spokesman for Hun Sen's government told the BBC that Cambodia valued Thaksin's leadership qualities and business experience, and that they saw him as a national asset.<sup>247</sup> The Ministry of Foreign Affairs and International Cooperation (MFAIC) of Cambodia also justified the government's refusal to extradite Thaksin, based on Thaksin's electoral legitimacy and what they perceived as political manipulation of the Thai judicial system.<sup>248</sup> Finally, Hun Sen differentiated Abhisit as an adversary, who particularly targeted Cambodia when Thaksin was residing there, but did nothing when Thaksin visited other countries.<sup>249</sup> In addition, Hun Sen attacked the legitimacy of Abhisit's government by stating that it was "stolen" from someone else, and that "(Abhisit claimed) other people's property as (his) own."<sup>250</sup> Such attacks on the other maintain bilateral tensions while hindering prospects for bilateral dialogue and cooperation, as well as the reversal of differentiation. Thus, the Thai-Cambodian relationship is one

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<sup>246</sup> See "A new way to annoy a neighbour: Cambodia appoints as a government advisor Thailand's opposition leader," *The Economist*, 12 November 2009; Pavin Chachavalpongpun, "Thai Political Parties in the Age of the Great Divide," in *Political Parties, Party Systems and Democratization in East Asia*, edited by Liang Fook Lye and Wilhelm Hofmeister (Singapore: World Scientific Publishing, 2011).

<sup>247</sup> Quoted in "Thai envoy recalled from Cambodia," *BBC News*, 5 November 2009, <http://www.news.bbc.co.uk/1/hi/8343703.stm> [accessed on 04/03/10].

<sup>248</sup> Ministry of Foreign Affairs & International Cooperation, Kingdom of Cambodia, "Diplomatic Note to the Royal Thai Embassy in Phnom Penh," 11 November 2009, [http://www.mfaic.gov.kh/index.php?option=com\\_content&view=article&id=2002:diplomatic-note-to-the-royal-thai-embassy-in-phnom-penh&catid=190:2009&Itemid=284](http://www.mfaic.gov.kh/index.php?option=com_content&view=article&id=2002:diplomatic-note-to-the-royal-thai-embassy-in-phnom-penh&catid=190:2009&Itemid=284) [accessed on 05/03/10].

<sup>249</sup> Quoted in "Hun Sen blames Thailand (and Abhisit) all the way," *Bangkok Post*, 12 November 2009, <http://www.bangkokpost.com/opinion/opinion/27270> [accessed on 05/03/10].

<sup>250</sup> Ibid.



example of how regional community building is restricted by acrimonious relations between state leaders.

*Politicized Territorial Disputes and Mutual Differentiation (2008)*

Mutual differentiation between Thailand and Cambodia worsened in 2008, due to the highly politicized territorial dispute over the area surrounding Preah Vihear temple. This dispute dates back to the 1950s, when the Thai and Cambodian governments failed to reach a solution through bilateral negotiations, and subsequently agreed to submit the case to the International Court of Justice (ICJ) in 1959. In 1962, the ICJ ruled in favour of Kampuchea (now Cambodia), by a majority vote of 9 to 3. Following this verdict, the Thai government and Thai media differentiated the Cambodian leader, Prince Sihanouk, as Thailand's top enemy; the verdict became a sensational issue for the Thai public, and fighting along the Thai-Cambodian border became a regular activity, with both governments blaming each other for the border conflict and producing White Papers to gain international support.<sup>251</sup> The ICJ verdict of 1962 has since then been an underlying point of contention in bilateral relations. It was revived as a bilateral problem in July 2008 when the Thai government, led by Prime Minister Samak Sundaravej, was being challenged by its opponents over UNESCO's listing of Preah Vihear temple as a World Heritage site, and UNESCO's recognition of the Preah Vihear temple area as belonging to Cambodia.<sup>252</sup> In this regard, one government's opposition can worsen differentiation of the other in bilateral relations by highlighting a linkage between domestic politics and foreign policy in general, and the current government and bilateral problems in particular.

In Thailand, an opposition movement, the People's Alliance for Democracy (PAD), included Cambodia in domestic politics by exerting pressure on Samak's government over its

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<sup>251</sup> Khien Theeravit, "Thai-Kampuchean Relations: Problems and Prospects," *Asian Survey* 22, No. 6 (June, 1982): 567.

<sup>252</sup> UNESCO: United Nations Educational, Scientific and Cultural Organization.

handling of Cambodia's application for World Heritage status; by highlighting a link between the government and a sensitive bilateral issue, the opposition movement was seeking to politically weaken the government, at the expense of peaceful bilateral relations. PAD used a sensitive bilateral issue to attack the government, by accusing it of betraying Thailand's heritage and successfully forcing the resignation of Foreign Minister Noppadon Pattama. PAD sought to undermine the government in the following ways: by demonstrating its failure to protect national interests and national territory, and by stirring up a nationalist backlash against it, and against its close relations with the Cambodian government.<sup>253</sup> In this regard, PAD extended a domestic political conflict into bilateral relations. Such an extension, the blurring of domestic and bilateral issues is problematic for regional community building if domestic politics is highly polarized and unstable. This is because changes in domestic politics are likely to lead to changes in foreign policy, which does not facilitate the development of consistent, stable bilateral relations, as a solid basis for the reversal of differentiation.

The listing of Preah Vihear temple as a World Heritage site worsened differentiation between Thailand and Cambodia since it was exploited for domestic political gains on both sides. On the Cambodian side, Hun Sen was able to refer to Preah Vihear temple's World Heritage status as an additional accomplishment of his government. Moreover, he was also able to highlight the nationalist backlash in Thailand and to demonstrate his government's capability in acting against this neighbouring enemy. Hun Sen was able to make the most of the World Heritage listing and Thailand's reaction, which coincided with Cambodia's general election. Although there was no doubt that Hun Sen would be re-elected, international

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<sup>253</sup> See "Thailand/Cambodia: Causes of conflict set to persist," *Oxford Analytica Global Strategic Analysis*, 29 October 2008, <http://www.oxan.com/display.aspx?StoryDate=20081029&ProductCode=APDB&StoryType=DB&StoryNumber=2> [accessed on 04/03/10]; Darren Schuettler, "Temple tantrums stalk Thai-Cambodian relations," *Reuters*, 18 July 2008, <http://www.reuters.com/article/idUSBKK591720080720> [accessed on 04/03/10].

recognition of Preah Vihear temple and differentiation of Thailand arguably helped Hun Sen to secure an overwhelming majority.<sup>254</sup> The case of Preah Vihear temple is significant for demonstrating how Cambodian nationalist sentiment against Thailand, and Thai nationalist sentiment against Cambodia, takes little to reignite. Moreover, it is also significant for demonstrating how these sentiments, once unleashed, are difficult and politically costly to diffuse. Any attempt to downplay nationalism by a political party could undermine that party's popularity in relation to others, and, thus, its maintenance of power and victory in the next general election. In Thailand, any political party that downplayed the listing of Preah Vihear temple as a World Heritage site would risk being accused of compromising sovereignty and national dignity. As noted by a Thai scholar, Thitinan Pongsudhirak: Thai leaders could not go too far against the nationalist tide, "or (they) would be accused of being a traitor."<sup>255</sup> Thus, political considerations produced disincentives to diffuse the bilateral conflict, and to reverse differentiation of the other.

*The Militarisation and Internationalisation of Differentiation (2010-2011)*

The reversal of differentiation in Thai-Cambodian relations is hindered by the presence of military troops in the contested border area, which indicates the possibility of border clashes, and preparations for them. In contrast, the reversal of differentiation and progress in regional community requires demilitarized relations, which is defined by Charles Kupchan as follows: undefended borders and/or the redeployment of forces from contested areas, the absence of war plans against one another, and evidence that the elite, and the general public, have come to see war among the parties in question as extremely remote, if

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<sup>254</sup> See "Thailand/Cambodia: Bilateral Tensions are Containable," *Oxford Analytica Global Strategic Analysis*, 25 November 2009, <http://www.oxam.com/display.aspx?ItemID=DB155893> [accessed on 04/03/10].

<sup>255</sup> Quoted in Darren Schuettler, "Temple tantrums stalk Thai-Cambodian relations," *Reuters*, 18 July 2008, <http://www.reuters.com/article/idUSBKK591720080720> [accessed on 04/03/10].

not outside the realm of the possible.<sup>256</sup> In 2010-2011, Thai-Cambodian relations were still fraught with military clashes in the disputed border areas, which undermined the development of mutual trust and peaceful bilateral relations. Moreover, both countries expressed their readiness for attack, should the other venture into, and occupy the contested area. For example, at the World Heritage Committee (WHC) meeting in 2010, Cambodian Foreign Minister Hor Namhong warned that Cambodian troops would fire at Thais who intrude into the disputed territory; to which Thai Prime Minister Abhisit Vejjajiva replied that Thai security forces were prepared in the case of violence.<sup>257</sup> In February and May 2011, Cambodian and Thai troops exchanged fire across the disputed area surrounding Preah Vihear temple, which resulted in deaths, injuries, and the displacement of people on both sides; this incident was significant in terms of undermining ASEAN community building at both the regional level and bilateral level.<sup>258</sup> While the exact causes of the border clashes were unclear, there have been many theories to account for their occurrence. For example, some commentators argued that the timing of border clashes coincided with campaigns for Thailand's general elections in July 2011, and were part of the Abhisit government's scheme to remain in power.<sup>259</sup> Others argued that the clashes were orchestrated by Hun Sen to rally nationalist sentiment in an attempt to divert attention from domestic issues, such as the erosion of civil liberties, and to bolster the military credentials of his son and successor, who is in charge of border troops.<sup>260</sup> In any case, irrespective of its causes, the border clashes impaired community building at both the regional and bilateral level. At the regional level,

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<sup>256</sup> Charles A. Kupchan, *How Enemies Become Friends: The Sources of Stable Peace* (Princeton: Princeton University Press, 2010), 30.

<sup>257</sup> Online Reporters, "WHC to decide on Preah Vihear temple plan tonight," *Bangkok Post*, 29 July 2010, <http://www.bangkokpost.com/news/local/188492/whc-to-decide-on-preah-vihear-temple-plan-tonight> [accessed on 29/09/11].

<sup>258</sup> K. Kesavapany (Director of the Institute of Southeast Asian Studies, Singapore), "ASEAN and the Cambodia-Thailand Conflict," *East Asia Forum*, 1 March 2011, <http://www.eastasiaforum.org/2011/03/01/asean-and-the-cambodia-thailand-conflict> [accessed on 06/10/11].

<sup>259</sup> See Ou Virak (President of the Phnom Penh-based Cambodian Center for Human Rights), "ASEAN adrift in Thai-Cambodian Conflict," *Asia Times Online*, 7 May 2011, [http://www.atimes.com/atimes/Southeast\\_Asia/ME07Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/ME07Ae01.html) [accessed on 07/10/11].

<sup>260</sup> Ibid.

the incident violated the very spirit of ASEAN, and key ASEAN agreements, such as the 1976 Treaty of Amity and Cooperation (TAC), which commits member states to reject the use or threat of force in interstate relations, and to the peaceful settlement of interstate disputes. At the bilateral level, both sides blamed each other for initiating and sustaining the conflict, thereby differentiating each other as a security threat.<sup>261</sup> For example, Cambodian Prime Minister Hun Sen asked the UN Security Council to intervene, in order to stop what he described as Thailand's "repeated acts of aggression" against his country.<sup>262</sup> Following the exchange of fire, Cambodian troops turned the Preah Vihear temple area into an armed camp, thereby further increasing the military presence in the border area.<sup>263</sup> Thus, community building was undermined, and restricted, by armed clashes in the border area, and the increasing use of the military in bilateral relations.

The failure of both sides to negotiate an agreement maintained mutual differentiation, and led to the bilateral conflict becoming a regional and international issue, which further highlighted adversity between the two countries. As the smaller country, the Cambodian government sought to consolidate its leverage vis-à-vis Thailand, by calling for UN intervention. This call for UN intervention, and international concern over the Thai-Cambodian conflict, led to both sides presenting their positions to the UN Security Council in mid-February, and a UN resolution. The UN Security Council sought to diffuse bilateral tensions by reminding both sides of the notion of good neighbourliness, urging both sides to show "maximum restraint" and to agree to a permanent cease-fire.<sup>264</sup> Moreover, the Council

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<sup>261</sup> See "Thailand Cambodian clashes: timeline," *The Telegraph*, 7 February 2011, <http://www.telegraph.co.uk/news/worldnews/asia/cambodia/8308298/Thailand-Cambodian-clashes-timeline.html> [accessed on 05/10/11]; Associated Press, "Thai and Cambodian soldiers resume fighting in border dispute," *The Guardian*, 6 February 2011, <http://www.guardian.co.uk/world/2011/feb/06/thailand-cambodia-border-dispute> [accessed on 05/10/11].

<sup>262</sup> Quoted in "Thai-Cambodia border fighting enters fourth day," *BBC News*, 7 February 2011, <http://www.bbc.co.uk/news/world-asia-pacific-12378987> [accessed on 05/10/11].

<sup>263</sup> Charles Scanlon, "Cambodia nationalism fired by temple row with Thailand," *BBC News*, 6 February 2011, <http://www.bbc.co.uk/news/world-asia-pacific-12378523> [accessed on 05/10/11].

<sup>264</sup> Margaret Besheer, "UN Security Council Urges Permanent Cambodia-Thailand Cease-Fire," *Voice of America*, 14 February 2011, <http://www.voanews.com/english/news/asia/UN-Security-Council-Urges->

also promoted regional community building, by supporting mediation efforts by Indonesia, which was the ASEAN Chair at the time. In this regard, the Council promoted an ASEAN role in the resolution of an intra-regional conflict, reminding both Thailand and Cambodia of their common regional membership and common regional goals.<sup>265</sup> The UN resolution on the Thai-Cambodian conflict produced mixed reactions among the concerned parties. The Thai government did not want the conflict to have a negative impact on its international relations, and preferred to contain the conflict to the bilateral level. However, the Cambodian government preferred third party mediation, due to their weaker position, in terms of country size and economic power, as well as its lack of faith in bilateral mechanisms, based on past experience.<sup>266</sup> This preference was indicated, for example, in the following statement by a spokesman for the Cambodian Foreign Ministry: “bilateral negotiations do not work...all negotiations must always have the participation of a third party.”<sup>267</sup> Thus, bilateral conflicts became internationalised and further highlighted, and consolidated, mutual differentiation.

The Thai-Cambodian conflict escalated to such an extent that it became an issue for ASEAN; however, ASEAN failed to mediate this bilateral conflict, and to demonstrate the existence of a regional community in which intra-regional conflicts can be peacefully resolved. This failure was due to the uncompromising stance of both the Thai and Cambodian governments, since the conflict was a matter of territorial integrity and national pride.<sup>268</sup>

Moreover, the Thai government was under pressure from the strong nationalist feelings in

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[Permanent-Cambodia-Thailand-Cease-Fire-116180379.html](#) [accessed on 05/10/11]; “Thai-Cambodia border fighting enters fourth day,” *BBC News*, 7 February 2011, <http://www.bbc.co.uk/news/world-asia-pacific-12378987> [accessed on 05/10/11].

<sup>265</sup> See Besheer, “UN Security Council Urges Permanent Cambodia-Thailand Cease-Fire.”

<sup>266</sup> Kesavapany, “ASEAN and the Cambodia-Thailand Conflict”; Pongphisoot Busarat (university lecturer at the Australian National University), “Thai-Cambodian conflict: an obstacle to the ASEAN Community 2015?” *East Asia Forum*, 20 May 2011, <http://www.eastasiaforum.org/2011/05/20/thai-cambodian-conflict-an-obstacle-to-the-asean-community-2015> [accessed on 07/10/11]; Puangthong Pawakapan (university lecturer at Chulalongkorn University), “Rao Mai Dai Teu Pai Nhua Kwa” [We Do Not Hold a Higher Card], *Thai Post*, 22 November 2009, <http://www.thaipost.net/print/13901> [accessed on 04/08/10].

<sup>267</sup> Quoted in “Thai-Cambodian border troops clash as UN Security Council urges “permanent ceasefire,”” *Deutsche Welle*, 15 February 2011, <http://www.dw-world.de/dw/article/0,,6438986,00.html> [accessed on 05/10/11].

<sup>268</sup> See Neil Chatterjee, “ASEAN Summit fails to resolve Thai-Cambodia conflict,” *Reuters*, 8 May 2011, <http://www.reuters.com/article/2011/05/08/us-asean-idUSTRE74709V29119598> [accessed on 07/10/11].

Thailand, while the Cambodian government sought to maintain international recognition for their territory, and to demonstrate their ability to defend national interests against a historical enemy and stronger neighbour. In Thailand, nationalist feelings were stimulated by conservative, anti-Thaksin political groups, led by the People's Alliance for Democracy (PAD), or the Yellow Shirts, in order to undermine the pro-Thaksin government. These conservative groups attacked Thaksin and his allies for "selling the nation," based on the pro-Thaksin, Samak government's support of Cambodia's listing of Preah Vihear temple as a UNESCO World Heritage site in 2008.<sup>269</sup> As observed by a Thai scholar, Pongphisoot Busbarat, the PAD successfully convinced many Thais that UNESCO's listing of Preah Vihear temple will lead to the loss of Thai sovereignty over the disputed 4.6 square kilometre area adjacent to the temple, despite the fact that World Heritage status has nothing to do with any legally binding border demarcation.<sup>270</sup> Prime Minister Abhisit and his Democrat Party supported PAD's nationalist agenda over Preah Vihear when they were the opposition in 2008.<sup>271</sup> Subsequently, when Abhisit became Prime Minister in December 2008, his government came under pressure to sustain the nationalist agenda and to adopt a hawkish stance vis-à-vis Cambodia. In order to placate the nationalists, Abhisit insisted on resolving the boundary issue and on using the Thai, as well as the Cambodian name for the temple.<sup>272</sup> However, at the time of writing, the boundary issue remains unresolved, Cambodia refused to accept the Thai name for the temple, and both countries still differentiate each other.<sup>273</sup> For example, in May 2011, Thai sources differentiated Cambodia as a security threat, which used human shields to escalate the border conflict, in order to justify international intervention and

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<sup>269</sup> See Busbarat, "Thai-Cambodian conflict: an obstacle to the ASEAN Community 2015?"

<sup>270</sup> Ibid.

<sup>271</sup> Chambers and Wolf, "Image-Formation at a Nation's Edge."

<sup>272</sup> Vimom Kidchob (Director-General, Department of Information, Ministry of Foreign Affairs, Thailand), "Re: Editorial inflamed Thai-Cambodia spat, Letters, January 7," *The Nation*, 9 January 2010, <http://www.nationmultimedia.com/home/2010/01/09/opinion/Thai-Foreign-Ministry-clarifies-on-dispute-30119994.html> [accessed on 04/03/10].

<sup>273</sup> Although the International Court of Justice (ICJ) did de-escalate the conflict to a certain extent in the summer of 2011, by ruling that both sides withdraw their troops from the disputed area.

condemnation of Thailand.<sup>274</sup> On the Cambodian side, Hun Sen maintained a discourse on differentiation of Thailand. He accused Thailand of invading Cambodia and seeking to prolong the conflict “in order to violate weaker neighboring ASEAN members,” at the annual ASEAN Summit that same month.<sup>275</sup> ASEAN’s failure to mediate not only enabled Thai and Cambodian military troops to continue fighting in the border area, but also threatened ASEAN’s political unity, and undermined the aim of ASEAN member states to work towards building an ASEAN Political-Security Community, which includes cooperation between member states to find a peaceful solution to interstate conflicts. As commented by the Philippine President, Benigno Aquino: “How can we have one ASEAN, one family, if we have two major components who cannot solve their problems?”<sup>276</sup> Thus, domestic politics in Thailand and Cambodia, and their militarized border and border disputes, are a major obstacle for ASEAN community building.

*National Security and the Reversal of Differentiation (2011)*

In 2011, non-state actors from academia and civil society were motivated to step up their efforts to promote the reversal of differentiation, in the wake of military armed clashes in the border area. A Thai scholar, Charnvit Kasetsiri, revived the idea of re-writing historical narratives, against the backdrop of ASEAN community building. Moreover, he also sought to facilitate the shift towards assimilation by suggesting the promotion of regional culture through “Hindu-Buddhist Trans-Boundary ASEAN World Heritage” sites.<sup>277</sup> Charnvit argued that distorted history produced incorrect perceptions, which could then be “negatively and politically exploited”; moreover, his main argument was that “bad history” led to “bad

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<sup>274</sup> Virak, “ASEAN adrift in Thai-Cambodian conflict.”

<sup>275</sup> Quoted in Arlina Arshad, “ASEAN integration message lost on Thai-Cambodia border,” *Agence France-Presse*, 5 August 2011, <http://www.abs-cbnnews.com/-depth/05/08/11/asean-integration-message-lost-thai-cambodia-border> [accessed on 07/10/11].

<sup>276</sup> Quoted in *ibid.*

<sup>277</sup> Institute of Southeast Asian Studies, “Summary Seminar on “ASEAN and Thai-Cambodian Conflict from Historical, Current and Regional Perspectives,”” 24 February 2011, <http://www.web1.iseas.edu.sg/?p=2663> [accessed on 29/09/11].



education,” and to “bad relations between nations.”<sup>278</sup> This implies that sustainable assimilation must begin with the reconciliation and reconstruction of historical memory, which can then be reflected in school textbooks, and influence new social attitudes and discourse. Charnvit’s proposal for a cultural trans-boundary world heritage site was specifically targeted at the Preah Vihear temple, which has been the centre of a highly politicized territorial dispute, as well as border clashes between Thailand and Cambodia. The proposal for a joint world heritage site was intended to promote bilateral cooperation in the area, with administration overseen by ASEAN. However, the chances for this scenario to occur are slim to none, given that the Thai and Cambodian governments have not been able to agree on a management plan for the temple, or to encourage ASEAN mediation and an ASEAN role in resolving the dispute. Thus, it is not a lack of ideas for the reversal of differentiation which hinders community building, but rather a lack of political will to compromise on bilateral conflicts.

Most recently, the reversal of differentiation between the Thai and Cambodian governments was hindered by a lack of political will to negotiate a compromise over the management plan for Preah Vihear temple. Under the terms of the UNESCO World Heritage site, Cambodia was required to submit a management plan to the World Heritage Committee (WHC) for approval, which it did in 2010. However, the proposal was actively opposed by the Thai government, with no sign, at the time of writing, of any compromise being reached. The difficulties in negotiating a compromise were confirmed by Thai Prime Minister Abhisit Vejjajiva in a press interview in 2010. Abhisit stated that the two countries remained in bilateral deadlock and that meetings between Thai and Cambodian diplomats had not been fruitful; moreover, he also reiterated Thailand’s position, which is unacceptable to Cambodia, that Thailand will only accept the management plan for the temple, if the temple is jointly

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<sup>278</sup> Ibid.

listed between the two countries.<sup>279</sup> The refusal to accept Cambodia's management plan had been agreed in a Thai cabinet resolution, and justified on the basis that it would affect Thailand's sovereignty. This cabinet resolution reiterated Thailand's position that any action on the management plan is not possible pending demarcation of the Thai-Cambodian border, as stated in the 2000 Memorandum of Understanding (MoU) signed by the Thai and Cambodian governments.<sup>280</sup> Thus, the reversal of differentiation continued to be restricted by the issue of border demarcation around Preah Vihear temple, and the inability of the Thai and Cambodian governments to cooperate with each other on the issue, due to strong nationalist feelings for the defence of national sovereignty in both countries.

Thai scholars were motivated to diffuse bilateral tensions, and to promote the reversal of differentiation, due to the following concerns: national security, regional community building for regional development and security, and ASEAN's relevance and credibility, both for member states and vis-à-vis the international community. Thai scholars, such as Puangthong Pawakapan, note that many Thais differentiate Cambodian people as inferior, as coming from a smaller, less developed country, and that many Thais also do not show respect to Cambodian people.<sup>281</sup> In reaction to this prevalent social attitude, Puangthong has led a call for the reversal of differentiation, arguing that Thailand's neighbours have just as much dignity as Thailand, and that they are not weak as they were in the past. She argues that if Thailand has bad relations with its neighbours, these countries will just turn to each other, as well as other countries, and that it is Thailand that will suffer. Finally, she points to the regional implications of Thailand's adverse relations with neighbouring countries, stating that

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<sup>279</sup> Online Reporters, "WHC to decide on Preah Vihear temple plan tonight."

<sup>280</sup> MCOT (Thai news channel), "Thai cabinet opposes Cambodia's Preah Vihear temple management plan," 28 July 2010, [http://www.mcot.net/cfcustom/cache\\_page/83455.html](http://www.mcot.net/cfcustom/cache_page/83455.html) [accessed on 29/09/11].

<sup>281</sup> Pawakapan, "Rao Mai Dai Teu Pai Nhua Kwa"; see also Eric C. Thompson and Chulanee Thianthai, *Attitudes and Awareness Towards ASEAN: Findings of a Ten-Nation Survey* (Singapore: ASEAN Studies Centre, 2008); R. Komolsevin, "Roles of Provincial PR Officers in Solving International Conflicts and Misunderstandings: A Case of Thailand and its Neighbouring Countries," July 2004, [http://www.bu.ac.th/knowledgecenter/epaper/jan\\_june2006/Rosechongporn.pdf](http://www.bu.ac.th/knowledgecenter/epaper/jan_june2006/Rosechongporn.pdf) [accessed on 07/02/12].

such a situation will restrict the aspiration of successive Thai governments to make Thailand a regional economic hub, and that Thailand's failure to improve its bilateral relations has already made Thailand a problem for ASEAN.<sup>282</sup> Thus, scholars have picked up on the issue of reversing differentiation, and have sought to influence a change in social attitudes and discourse, by emphasizing Thailand's national and regional interests. However, they were unable to influence policy change due to strong nationalist, anti-Cambodian sentiment within society, which was fuelled by the territorial dispute and border clashes near Preah Vihear temple.

In addition to academia, civil society organizations (CSOs) in both countries have also been motivated to promote the reversal of differentiation, in order to safeguard border communities' security and economic exchanges, and to demonstrate their capacity to influence change. CSOs have been active in social mobilisation and in organizing activities to raise awareness on calls for peaceful bilateral relations. For example, in May 2011, a Thai CSO, People's Empowerment Foundation, responded to the border clashes by organizing a march for peace in the Thai border town of Aranyaprathet.<sup>283</sup> Participants included a variety of non-state actors, such as religious leaders, local villagers, academics, students, peace activists, and civil society. Activities such as this peace walk are significant for the reversal of differentiation, for many reasons. They constitute a symbolic act and raise awareness on society's call for peace. In addition, they can also promote discussion within society on conflict mediation and resolution, and thus build, and consolidate, a mind-set and discourse on the long-term goal of peaceful bilateral relations and assimilation. One Thai participant, a well-known social critic, Sulak Sivaraksa, criticized Thai historical narratives and called for bilateral reconciliation. He stated that

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<sup>282</sup> Ibid.

<sup>283</sup> Lisa Gardner, "Crossing Borders – Thais and Cambodians March for Peace," *Prachathai* (a Thai-English web newspaper), 21 May 2011, <http://www.inebnetwork.org/ineb/report/110-crossing-borders-thais-and-cambodians-march-for-peace> [accessed on 08/10/11].

our way of teaching history is nationalistic and discriminatory against our neighbours. Thailand should apologize to Cambodia... We think we are better than Cambodia because we have never been colonized. But we have been colonized by this way of thinking.<sup>284</sup>

Moreover, a Thai scholar, Akarapong Kamkun, from the Thai border province of Ubon Ratchathani, noted that border communities have sought to maintain peaceful relations and that they have apologized to each other for past conflicts; however, he emphasized the fact that “governments should apologize, since it is not a conflict between people.”<sup>285</sup> Indeed, border communities are more assimilated, than differentiated, due to cross-border family ties, shared culture, as well as trade: all of which demonstrate the social deconstruction of borders, and the potential for larger scale socially-driven assimilation. Thus, a successful, long-term reversal of differentiation requires inclusion of the wider society, which can be facilitated by CSOs.

CSOs from Thailand and Cambodia were motivated to promote peace in the border area, and in bilateral relations in general; and, as such, promoted an ASEAN role to advance regional community building. More specifically, CSOs supported the role of ASEAN as an observer and mediator to the bilateral conflict. However, ASEAN can only carry out this role with the support of the Thai and Cambodian governments, whose failure to reach a consensus on the bilateral conflict resulted in unfruitful ASEAN meetings and ASEAN’s restricted role as an observer.<sup>286</sup> Nevertheless, Thai and Cambodian CSOs perceived bilateral negotiations to be ineffective, and thus appealed for ASEAN mediation. They highlighted how the border clashes in February and May 2011 had displaced many people, and how these people’s

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<sup>284</sup> Quoted in *ibid.*

<sup>285</sup> Quoted in *ibid.*

<sup>286</sup> See “Thailand-Cambodian Civil Society Wants ASEAN to Solve the Border Conflict,” *Forum Asia* (a regional human rights organization), 4 May 2011, <http://www.forum-asia.org/?p=3889> [accessed on 09/10/11]; Achara Ashayagachat, “NGOs call for observers, and end to hostilities,” *Bangkok Post*, 6 May 2011, <http://www.bangkokpost.com/news/local/235548/ngos-call-for-observers-and-end-to-hostilities> [accessed on 10/10/11].

human rights had been violated; for example, their right to stability, security and food.<sup>287</sup> Thai and Cambodian government agencies, such as the Ministry of Public Health, the Red Cross in both countries, as well as CSOs, such as OXFAM and World Vision, have provided aid to displaced people; for example, tents, rice, water, and other food supplies.<sup>288</sup> However, a long-term solution to the border conflict can only be negotiated by the two governments. One Thai human rights activist, Somsri Hananuntasuk, emphasized Thailand and Cambodia's common membership of ASEAN, and, thus, their common regional identity, which should push them towards a solution as soon as possible. Moreover, she also promoted a role for ASEAN, rather than external, international organizations, like the UN, which are further away, and are thus expected to have less understanding of the conflict.<sup>289</sup> Thus, CSOs support ASEAN mediation as the best way to reverse differentiation and to improve bilateral relations between Thailand and Cambodia, as part of regional community building.

In terms of community building, the fact that CSOs support ASEAN mediation is significant, since it demonstrates their act of association with a regional organization, and their recognition of the interconnectedness between intra-regional relations and regional consolidation. CSOs have a stronger regional mind-set than state actors, since they are not bogged down by domestic politics, and are thus important actors in efforts to reverse differentiation and to promote assimilation within society. As such, they have been delegated the task of raising awareness of an ASEAN identity, as part of regional community building,

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<sup>287</sup>See Cambodian Human Rights Action Committee (CHRAC), "Joint Statement of Cambodian and Thai Civil Society Organizations," 5 May 2011, <http://www.leavefreedom.blogspot.com/2011/05/joint-statement-of-cambodian-and-thai.html> [accessed on 09/10/11].

<sup>288</sup>See Thai Red Cross Report, "Thai Red Cross helps displaced persons from fighting along Thai-Cambodian border," 21 February 2011, <http://www.reliefweb.int/node/389282> [accessed on 10/10/11]; ReliefWeb Report, "ACT Alliance [an alliance of 111 churches and church-related organizations that work together in humanitarian assistance, advocacy and development] Rapid Response Payment Request No 01/2011: Cambodia/Thai border conflict – displaced people," 4 February 2011, [http://www.reliefweb.int/sites/reliefweb.int/files/reliefweb\\_pdf/node-389240.pdf](http://www.reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/node-389240.pdf) [accessed on 10/10/11].

<sup>289</sup>See Supalak Ganjanakhundee, "Civic groups urge ASEAN to end conflict," *The Nation*, 6 May 2011, <http://www.nationmultimedia.com/2011/05/06/national/Civic-groups-urge-ASEAN-to-end-conflict-30154698.html> [accessed on 09/10/11].

and have carried out their role through networking and discussion sessions on ASEAN policy, and ASEAN's development.<sup>290</sup> The problem with CSOs is that they do not have as much economic or human resource capacity as governments, and are thus more restricted in the scope and scale of their actions. Nevertheless, since the first ASEAN Civil Society Conference in 2005, there has been an expanding role for CSOs within an ASEAN framework, and, thus, a wider opening for the role of CSOs in reversing differentiation and promoting assimilation.

#### **IV. Conclusion**

This chapter sought to test ASEAN's progress in community building based on the extent of the shift from differentiation to assimilation in the Thai-Cambodian relationship. The chapter analysed the advances in reversing differentiation, in terms of successive Thai governments' economics-driven foreign policy, and the aim to strengthen Thailand's status in the international community, be it as a new donor country, or a leader in regional development and community building. Moreover, the chapter also analysed the role of non-state actors in reversing differentiation; for example, the role of academia in raising awareness on similarities between Thailand and Cambodia, and Thailand's national and regional interests, as well as the role of civil society organizations (CSOs) in mobilizing the wider society to call for peaceful bilateral relations. These actions have thus far had a minimal impact on the Thai-Cambodian relationship, which is still confronted with three major problems: first, the underlying, deeply embedded differentiation within society; second, the tendency of state actors to derive political benefits from differentiation, rather than risk political losses by going against historical legacy and strong nationalist sentiment; and, third, the continued perception of the other as an external security threat and the

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<sup>290</sup> See this thesis' chapters on civil society.

possibility of bilateral conflict, as indicated by the presence of military troops in the contested border area and recent military armed clashes. These problems indicate that the shared aim of realizing an ASEAN Community has failed to overcome domestic political imperatives. This implies that progress from differentiation to assimilation requires a stronger political will from state actors, and/or more action on the part of non-state actors to persuade the wider society of benefits in reversing differentiation, and promoting long-term, peaceful bilateral relations, and regional community building. In this regard, state actors need to be persuaded of the relative gains from the reversal of differentiation and community building, compared to the maintenance of differentiation; while non-state actors need to gain more support from society in general and/or the support of influential members of society and state actors in particular, in order to increase the chances of their proposals being translated into policies. Thus, the shift from differentiation to assimilation in intra-regional relations, and regional community building, ultimately depends on domestic political dynamics in the individual ASEAN member states, and the extent to which non-state actors have a political role, and are able to influence policies for the protection of social and economic welfare.

## **Chapter Four: Thailand's Southern Conflict and State-Centred Differentiation in the Thai-Malaysian Relationship**

This chapter tests ASEAN's progress in regional community building, based on the extent to which there has been a shift from differentiation to assimilation in the Thai-Malaysian relationship. Unlike the previous bilateral relationships surveyed in this thesis – Thai-Myanmar and Thai-Cambodian relations – the Thai-Malaysian relationship is not confronted by differentiation between the two societies; however, its state-centred differentiation, whether one-sided or mutual, still has a strong negative impact on bilateral relations, and, by extension, regional community building. The Thai-Malaysian relationship consists of three kinds of differentiation: first, the Thai government's differentiation of its Malaysian counterpart as a security threat, based on support for insurgents in southern Thailand; second, the Malaysian government's differentiation of its Thai counterpart as a threat to ethnic Malays in Southern Thailand, based on the Thai government's centralisation policies, which do not take account of the Malay identity and culture, and based on the socio-economic marginalization of ethnic Malays, as well as the abuse of human rights. Such differentiation between ASEAN member states restricts the development of trust, and maintains tensions in bilateral relations, thereby undermining the process of regional community building. The third kind of differentiation in the Thai-Malaysian relationship is that between the ethnic Malays in southern Thailand and the central Thai government, which has resulted in the southern conflict, and maintained tensions and the issue of border security in bilateral relations. All three kinds of differentiation are based on Thailand's southern conflict, which is in part a border issue. This implies that the reversal of differentiation is primarily dependent on the Thai government's domestic policy towards the conflict, and foreign policy towards Malaysia. The pursuit of differentiation by both governments would indicate a lack of progress in regional community building, while efforts to reverse



differentiation by one or both governments would indicate progress, based on the intent to improve bilateral relations, which constitute an important building block for a regional community.

The negative impact of Thailand's southern conflict on Thai-Malaysian relations undermines the aim of both countries' government to promote security and stability in Southeast Asia, as fellow members of ASEAN which seek to realize a comprehensive regional community. Successive Malaysian governments have emphasized the importance of ASEAN as "the cornerstone of Malaysia's foreign policy."<sup>291</sup> As such, they sought to strengthen ASEAN as a regional grouping, and to reduce risks to security by improving bilateral relations.<sup>292</sup> However, differentiation in the Thai-Malaysian relationship, which is based on Thailand's southern conflict, undermines such aims. Moreover, it also undermines regional community building, since it indicates distrust and a lack of confidence among ASEAN member states. On the part of Thai governments, Thailand's southern conflict also undermines their aims for ASEAN regionalism. For example, Thai Prime Minister Abhisit Vejjajiva (2008-2011) proposed an ASEAN Connectivity Plan in 2009, which involves linking ASEAN member states through physical infrastructures, online connectedness, as well as people-to-people contacts to create a strong sense of community.<sup>293</sup> While the violence in southern Thailand did not prevent the completion of a Thai-Malaysian Friendship bridge in 2009, it does threaten cross-border connectivity, as well as the development of a sense of community between Thai Buddhists and Malay Muslims. Both the Thai and Malaysian governments sought to address problems to these regionalism aims through the exchange of visits between state leaders, to strengthen good bilateral relations, as well as the

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<sup>291</sup> Ministry of Foreign Affairs, Malaysia, "Malaysia's Foreign Policy: ASEAN as the cornerstone of Malaysia's foreign policy," <http://www.kln.gov.my/web/guest/asean> [accessed on 22/02/12].

<sup>292</sup> Ibid.

<sup>293</sup> "Abhisit wants ASEAN to go Global," *The Nation*, 7 May 2011, <http://www.nationmultimedia.com/2011/05/07/national/Abhisit-wants-Asean-to-go-Global-30154835.html> [accessed on 22/02/12].

promotion of bilateral cooperation.<sup>294</sup> For example, Malaysian Prime Minister Najib Razak (2009-to the present) visited Narathiwat province in southern Thailand with Thai Prime Minister Abhisit Vejjajiva in 2009, to demonstrate his concern over the situation and to offer Malaysia's support for the Thai government's efforts to resolve the conflict. The southern conflict threatens border security, as well as the human security of both Thai and Malaysian communities in the border area.<sup>295</sup> Thus, differentiation and the persisting issue of security in Thai-Malaysian relations undermine regional community building, since it indicates a missing gap in the development of trust and confidence between regional states, as well as a missing gap in the creation of peaceful regional connectivity.

This chapter seeks to analyse the advances and limitations in reversing differentiation in the Thai-Malaysian relationship, and is divided into four sections. Section I provides the background and an overview of the impact of Thailand's southern conflict on regional community building. Section II analyses the prospects for assimilation, based on the international trend towards economic integration, and shared political and security interests from the 1980s to 1990s. Section III focuses on challenges to improving the quality of Thai-Malaysian relations. More specifically, it focuses on the recent interval of one-sided differentiation in the bilateral relationship, in terms of the escalating conflict in southern Thailand, versus bilateral cooperation for political and security interests in 2001-2006. Finally, section four analyses the prospects for community building, based on a period of expanded bilateral cooperation, mutual reversal of differentiation, and on-going cross-border assimilation in 2007-2009.

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<sup>294</sup> See, for example, Royal Thai Embassy, Singapore, "Gist of Prime Minister Abhisit Vejjajiva's Address on the Government's Performance," 25 December 2009, <http://www.thaiembassy.sg/friends-of-thailand/p/gist-of-prime-minister-abhisit-vejjajivas-address-on-the-governments> [accessed on 22/02/12].

<sup>295</sup> See, for example, "Thai Muslims welcome offer to help end unrest," *New Straits Times*, 22 February 2012, <http://www.nst.com.my/local/general/thai-muslims-welcome-offer-to-help-end-unrest-1.50265> [accessed on 22/02/12].

The chapter concludes that there is a general shift from differentiation to assimilation in the Thai-Malaysian relationship, which builds on the underlying cross-border kinship ties and dual citizenship, as well as regular cross-border exchanges. These underlying people-centred community building processes are complimented by state-sponsored projects, such as the Indonesia-Malaysia-Thailand Growth Triangle, the Joint Development Strategy, and states' support for increasing bilateral people-to-people exchanges. Bilateral relations between states have also witnessed a general upward trend in reversing differentiation, due to shared political, security and economic interests. While some Thai leaders chose to maintain their political interests by differentiating their Malaysian counterpart, Malaysian leaders have been more constant in pursuing their political and security interests through the reversal of differentiation. Despite the fact that Malaysian leaders identify the Thai state as a threat to ethnic Malays in southern Thailand and provide asylum for these ethnic Malays, they have maintained their support for the Thai government's efforts to resolve the southern conflict, and continue to promote bilateral cooperation in such endeavours. Thus, an improvement in Thai-Malaysian relations is primarily threatened by failed attempts to resolve the southern conflict and one-sided differentiation on the part of the Thai government, which overshadows the strong cross-border linkages, undermines border security, and maintains tensions in the bilateral relationship, to the expense of regional community building.

### **I. Thailand's Southern Conflict and Regional Community Building**

The Thai- Malaysian relationship has a historical legacy of undermining the realization of a regional community, due to state actors' securitization, or identification of the separatist movement in southern Thailand, as a bilateral security issue.<sup>296</sup> Such an act of

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<sup>296</sup> For further explanations and analyses on the act of securitization, see, for example, Matt McDonald, "Securitization and the Construction of Security," *European Journal of International Relations* 14, No. 4 (Dec., 2008): 563-587.

securitisation goes against the process of regional community building, whereby security gradually diminishes as an intra-regional issue, and whereby regional states are able to have dependable expectations of peaceful change. In the case of Thai-Malaysian relations, security persists as a bilateral issue, due to the on-going conflict in southern Thailand and the conflict's proximity to the porous Thai-Malaysian border.<sup>297</sup> This conflict originated as a separatist movement, and has since then created tensions in the Thai-Malaysian relationship. The conflict is difficult to resolve, since it is a deeply embedded one, based on historical legacy, identity, and politics. The historical legacy of separatism can be traced back to the 15<sup>th</sup> century, when what is now the three southernmost provinces of Thailand – Pattani, Yala and Narathiwat – and four districts of Songkhla province, constituted the Greater Pattani, or the Pattani Kingdom. In 1902, the Pattani Kingdom was annexed by Siam (now Thailand). This annexation was subsequently formalized by the Anglo-Siamese Treaty of 1909. According to the terms of this Treaty, Siam (now Thailand) was to cede neighbouring Kedah, Perlis, Kelantan and Terengganu to what was then British Malaya; a border was imposed between Siam and British Malaya, and has remained in place ever since. This border was established without due respect for the needs of local communities, which became divided, and which became a minority in their host country. The externally imposed divide, or the colonial border, constitutes the genesis of the present day conflict in southern Thailand, which has resulted in an increasing number of violent incidents since the 1990s. According to Heidelberg University's "Conflict Information System" (CONIS) database, the years 1993-2000 saw a total of 468 violent incidents in southern Thailand, with most of the violence being acts against public facilities and the state's security forces; between January 2001-April 2007, the number of violent incidents had leapt to 6,965; subsequently, the database shows that attacks on the civilian population has intensified since 2008, as have tensions between

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<sup>297</sup> See Emanuel Adler and Michael Barnett, "A Framework for the Study of Security Communities," in Emanuel Adler and Michael Barnett, eds., *Security Communities* (Cambridge: Cambridge University Press, 1998), 30.

the majority Thai Buddhists, and the minority ethnic Malay-Muslims.<sup>298</sup> No known resistance group has claimed responsibility for the violence. However, several factions remain key actors in the southern insurgency. They include the Barisan Revolusi Nasional (BRN – formed in 1960), the Pattani United Liberation Organization (PULO – 1967), and the Gerakan Mujahideen Islam Pattani (GMIP – 1995).<sup>299</sup> Thus, tensions and violence between ethnic groups in southern Thailand, which include ethnic Malay-Muslims, have a negative impact on Thai-Malaysian relations, and, as such, undermine the process of regional community building.

The ethnic Malays in southern Thailand have expressed their resistance against the central Thai government through discourse and action, which, in the early 20<sup>th</sup> century included a preference for unification with the Federation of Malaya (now Malaysia), and currently includes violent attacks, followed by cross-border escapes into Malaysia; in this regard, the separatist movement in southern Thailand has always involved Malaysia, in some form or another, and constitutes an underlying source of tension in bilateral relations, as well as a restriction on regional community building. Ethnic Malays from the former Pattani Kingdom deeply resented Siam's annexation and the externally imposed border, and, as such, resisted control by the central government.<sup>300</sup> Some Malay Muslims in the south of Siam wanted more autonomy from the Siamese government; some demanded full independence, and others wanted to unify the south of Thailand with the Federation of Malaya (now Malaysia). In any case, those who supported unification with the Federation of Malaya were only active from 1902 to the 1950s, when it became apparent that they would not receive any

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<sup>298</sup> Aurel Croissant and Christoph Trinn, "Culture, Identity and Conflict in Asia and Southeast Asia," *ASIEN* 110 (January 2009): 29.

<sup>299</sup> For more details on these factions, see "Table 1: Main Insurgent Factions," in Aurel Croissant, "Unrest in South Thailand: Contours, Causes, and Consequences Since 2001," *Contemporary Southeast Asia* 27, No. 1 (April 2005): 25.

<sup>300</sup> See Nik Anuar Nik Mahmud, *The Malays of Patani: The Search for Security and Independence* (Malaysia: National University of Malaysia, 2008), 54, 61, 79; David Carment, "Managing Interstate Ethnic Tensions: The Thailand-Malaysian Experience," *Nationalism and Ethnic Politics* 1, No. 4 (1995): 5.

support from the Malaysian government.<sup>301</sup> At the local level, the extent of resistance has varied in accordance to state policies on centralization and the promotion of Thainess, which was seen to undermine and to threaten the local Muslim identity and culture.<sup>302</sup> Policies from the central government which were not well received, and which worsened relations with the south, include King Chulalongkorn's policy of administrative centralization in the 1890s. This policy deprived the Malay rulers of their traditional power of taxation and appointment.<sup>303</sup> Other policies include the compulsory Primary Education Act of 1921, which required all Malay-Muslim children to spend 4-5 years studying the national, that is, Siamese (now Thai) curriculum; Prime Minister Phibun Songkhram's Custom Degree, which prevented Malays in the south of Thailand from wearing their traditional dress, from having Malay names, or speaking and learning Malay.<sup>304</sup> These policies were described by a Thai historian, Thanet Aphornsuwan, as part of the centralizing character of state penetration, which has been one of the major causes of the conflict in southern Thailand.<sup>305</sup> This conflict is of concern to the Malaysian government, due to its interest in protecting the Malay identity and the Malay culture, while abiding by the ASEAN principle of non-interference in another country's internal affairs. For this reason, the southern conflict is a sensitive issue in bilateral relations. Moreover, it also has wider regional implications, since it involves differentiation

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<sup>301</sup> Andrew D.W. Forbes, "Thailand's Muslim Minorities: Assimilation, Secession, or Coexistence?" *Asian Survey* 22, No. 11 (Nov., 1984): 1064; Nantawan Haemindra, "The Problem of the Thai-Muslims in the Four Southern Provinces of Thailand (Part Two)," *Journal of Southeast Asian Studies* 8, No. 1 (1977): 86.

<sup>302</sup> See S.P. Harish, "Ethnic or Religious Cleavage? Investigating the Nature of the Conflict in Southern Thailand," *Contemporary Southeast Asia* 28, No. 1 (April 2006): 54.

<sup>303</sup> Mahmud, *The Malays of Patani*, 4-6. King Chulalongkorn's reign: 1868-1901.

<sup>304</sup> Ibid., 15, 18; Astri Suhrke, "Irredentism Contained: The Thai-Muslim Case," *Comparative Politics* 7, No. 2 (Jan., 1975): 198; Forbes, "Thailand's Muslim Minorities," 1059; Carment, "Managing Interstate Ethnic Tensions," 5; Surin Pitsuwan, *Islam and Malay Nationalism: A Case Study of the Malay-Muslims of Southern Thailand* (Cambridge, MA: Harvard University Press, 1982), 57-58; W.K. Che Man, *Muslim Separatism: The Moros of Southern Philippines and the Malays of Southern Thailand* (Singapore: Oxford University Press, 1990); Chidchanok Rahimmula, "Peace Resolution: A Case Study of Separatist and Terrorist Movement in Southern Border Provinces of Thailand," in S. Yunanto et al., eds., *Militant Islamic Movements in Indonesia and Southeast Asia* (Jakarta: FES and The RIDEP Institute, 2003). Prime Minister Phibun Songkhram was in office 1938-1944, and 1948-1957.

<sup>305</sup> Thanet Aphornsuwan, "Origins of Malay Muslim "Separatism" in Southern Thailand," in Michael J. Montesano and Patrick Jory, eds., *Thai South and Malay North: Ethnic Interactions on a Plural Peninsula* (Singapore: National University of Singapore Press, 2008), 94.

and violence between ethnic groups of ASEAN member states, rather than assimilation and community building, both within and across national boundaries.

### *The Benefits and Drawbacks of Cross-Border Assimilation*

At present, there is a high degree of cross-border assimilation between ethnic Malays in southern Thailand and northern Malaysia: such cross-border assimilation is good for regional community building; however, it can also be a source of tension between the Thai and Malaysian governments, when the former is confronted with problems from the southern conflict. Because the three southernmost provinces of Thailand are highly assimilated with the more ethnically and culturally similar northern states of Malaysia, their separatist movements have sometimes been viewed with suspicion from the central Thai government, as receiving support from their Malaysian counterpart. The majority of Thailand's three southernmost provinces, approximately 80%, are populated by ethnic Malays, with estimates of the total ethnic Malay population ranging from 1.4 million to 1.5 million.<sup>306</sup> More recently, the 2000 census showed that Narathiwat province has around 546,450 Muslims (82% of the population), Pattani 482,760 (81%), and Yala 286,000 (69%).<sup>307</sup> The ethnic Malay population in the border area is predominantly Muslim. They are highly assimilated to their fellow Muslims in the northern states of Malaysia, and have maintained religious and cultural links with them. Assimilation is facilitated by the fact that a Malay dialect, "Jawi," is spoken at home in the three southernmost provinces, and is also spoken in the neighbouring Malaysian states of Kelantan and Terengganu.<sup>308</sup> Moreover, assimilation is also facilitated by a

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<sup>306</sup> Carment, "Managing Interstate Ethnic Tensions," 4; Croissant and Trinn, "Culture, Identity and Conflict in Asia and Southeast Asia," 29.

<sup>307</sup> John Funston, "Thailand's Southern Fires: The Malaysian Factor," *UNEAC* (University of New England Asia Centre) *Asia Papers*, No. 26 (2008): 56; see also Narayanan Ganesan, *Bilateral Tensions in Post-Cold War ASEAN*, Pacific Strategic Papers (Singapore: Institute of Southeast Asian Studies, 1999), 24-25.

<sup>308</sup> Michel Gilquin and Michael Smithies, *The Muslims of Thailand* (Bangkok, Thailand: Institute de Recherche sur L'Asia du Sud-Est Contemporaine (IRASEC), 2005); Omar Farouk Bajunid, "Islam, Nationalism, and the Thai State," in Wattana Sugunnasil, ed., *Dynamic Diversity in Southern Thailand* (Songkla, Thailand: Prince of Songkla University, 2005).

continuous flow of cross-border migration, which maintains cross-border contacts and cross-border activities. Many Malay-Muslims in the south of Thailand have crossed the border to attend educational institutions in Malaysia, while some Malaysians have crossed over to Thailand to study at renowned Islamic schools, or “pondoks.” In addition, many Thai Muslims have also sought employment in Malaysia. They initially crossed the border to work during the rice harvest season. However, as the Malaysian economy expanded towards the end of the Cold War to the present, an increasing number of Thai Muslims have migrated to Malaysia to work in a wide range of agricultural and secondary industries, and to open food stalls.<sup>309</sup> There are no exact figures for the population of southern Thai Muslims in Malaysia, but it is estimated that the total is around 300,000.<sup>310</sup> Thus, the Thai-Malaysian relationship already consists of a high degree of assimilation and interactions between the two peoples, namely, border communities, and, as such, should constitute a strong case for regional community building.

However, the positive impact of cross-border assimilation has sometimes been undermined by Thailand’s domestic politics, which is why the Thai-Malaysian relationship is an interesting case study for an analysis on advances and limitations to regional community building. The Thai-Malaysian relationship is confronted by the potential spill-over of the conflict in southern Thailand into Malaysia, and the involvement of Malaysia in debates on local governance and identity; in cases where the southern conflict spills over into Malaysia, or the Malaysian government comments on the southern conflict, bilateral relations are under threat of deterioration due to either suspicions of Malaysia’s support for the separatist movement, or perceptions of interference in Thailand’s internal affairs. Scholars of Thai-Malaysian relations find that the southern conflict is primarily rooted in local grievances;

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<sup>309</sup> John Funston, “Malaysia and Thailand’s Southern Conflict: Reconciling Security and Ethnicity,” *Contemporary Southeast Asia* 32, No. 2 (Aug., 2010): 236.

<sup>310</sup> *Ibid.*, 236.



however, they also acknowledge the impact, and implications, of the conflict on Thai-Malaysian relations due to the issue of politics, nationalism, history, and identity.<sup>311</sup> Numerous studies point to the issue of different identities, including different cultures, as an important underlying causal factor of the southern conflict. For example, a report by the International Crisis Group in August 2008 argues that the religious, racial, and linguistic differences between the minority Malay Muslims and the Buddhist majority in Thailand have resulted in a deep sense of alienation; this sense of alienation was worsened by the violation of human rights by Thai security forces, including extrajudicial killings and forced disappearances, which led to resentment against the central government.<sup>312</sup> In this regard, the southern conflict has been described as a vertical conflict, between the central government and a minority at the periphery, which is fighting for political and cultural self-determination, as well as a more equal distribution of economic rights.<sup>313</sup> The identity and economic well-being of Malay-Muslims in southern Thailand are perceived as under threat, since religious and racial differences have led to an apparent discrimination against them: Malay-Muslims who return from their studies abroad are unable to obtain a job in either administrative or economic affairs.<sup>314</sup> This apparent social discrimination and exclusion, together with the problems of poor socio-economic conditions, and corruption by state actors, became the main sources of the southern conflict, rather than the issue of separatism.<sup>315</sup> Thus, the southern conflict, and any negative impact on Thai-Malaysian relations as a result of the conflict, are

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<sup>311</sup> Joseph Chinyong Liow, "International Jihad and Muslim Radicalism in Thailand? Toward an Alternative Interpretation," *Asia Policy* 2 (July 2006): 90.

<sup>312</sup> International Crisis Group, "Thailand: Political Turmoil and the Southern Insurgency," Asia Briefing No. 80, 28 Aug. 2008, <http://www.crisisgroup.org/en/regions/asia/south-east-asia/thailand/B080-thailand-political-turmoil-and-the-southern-insurgency.aspx> [accessed on 16/10/11]; Alexander Horstmann, "Approaching peace in Patani, Southern Thailand – some anthropological considerations," *Asia Europe Journal* 6 (2008): 61. The International Crisis Group is an independent, non-profit, non-governmental organization, which provides analyses on international conflicts.

<sup>313</sup> Croissant and Trinn, "Culture, Identity and Conflict in Asia and Southeast Asia," 21.

<sup>314</sup> Horstmann, "Approaching peace in Patani," 63; Croissant, "Unrest in South Thailand," 30.

<sup>315</sup> Horstmann, "Approaching peace in Patani," 67.

predominantly based on the Thai state's policies, and, as such, need to be resolved from there, in order to promote assimilation at the local, national, and regional levels.

### *Failed Attempts to Resolve the Southern Conflict*

While there have been attempts by some Thai governments to address the causes of the southern conflict during the Cold War, in order to dissuade border communities from joining communism, and to strengthen Thai-Malaysian cooperation against communists in the border area, these attempts have largely been unsustainable. During the 1970s, the Thai government sought to quell the conflict in southern Thailand, and to dissuade people in the border area from joining communism, by initiating projects to promote socio-economic development (e.g., agricultural enterprises, the construction of roads, colleges and universities), projects to promote freedom of religion, as well as the incorporation of more Muslims into state institutions.<sup>316</sup> In the 1980s, Thai Prime Minister Prem Tinsulanonda (1980-1988) sought to address the problem of communists in the border area by improving border security, and supporting economic development, and the cultural rights of the historically marginalized south.<sup>317</sup> This included the state's encouragement for the establishment of mosques and Muslim religious schools, or "pondoks." These policies contributed to a brief period of peace in the border area during the 1990s. However, this peaceful situation did not last: the underlying political subordination and social discrimination of Malay-Muslims, together with the rise of Islamism in Southeast Asia, and

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<sup>316</sup> See Peter Searle, "Ethno-Religious Conflicts: Rise or Decline? Recent Developments in Southeast Asia," *Contemporary Southeast Asia* 24, No. 1 (April 2002): 1-12.

<sup>317</sup> Jayshree Bajoria and Carin Zissis, "The Muslim Insurgency in Southern Thailand," *Council on Foreign Relations*, 10 September 2008, <http://www.cfr.org/thailand/muslim-insurgency-southern-thailand-p12531> [accessed on 16/10/11]; Andrew Tan, "The 'New' Terrorism: How Southeast Asia Can Counter It," in *September 11 & Political Freedom: Asian Perspectives*, edited by Uwe Johannsen et al. (Singapore: Select Publishing, 2003), 109; David Martin Jones and Mike Lawrence Smith, "Southeast Asia and the War against Terrorism: The Rise of Islamism and the Challenge to the Surveillance State," in *September 11 & Political Freedom: Asian Perspectives*, edited by Uwe Johannsen et al. (Singapore: Select Publishing, 2003), 150.

the state's policies of centralization, led to the resurgence of the southern conflict in 2001.<sup>318</sup> Political and cultural discrimination against Muslims continued to prevail, as demonstrated by the under-representation of Malay-Muslims in the civil service, and education system.<sup>319</sup> Moreover, earnings in the region are unequally distributed to the disadvantage of Malay-Muslims, since Thai Buddhists dominate administration offices, and Sino-Thais control large sections of the local economy; these factors account for the higher levels of poverty, less education opportunities, and the broad exclusion of Malay-Muslims from the formal labour market, and employment opportunities outside the agricultural and service sectors.<sup>320</sup> Thus, state policies to promote development in southern Thailand have failed to reduce the national economic disparity between the south and the centre, and to address the local grievances behind the southern conflict, which has a negative impact on Thai-Malaysian relations.

## **II. Prospects for Assimilation: The International Trend towards Economic Integration, and Shared Political and Security Interests (1980s-1990s)**

In the late 1980s to 1990s, governments worldwide were motivated to protect their security and economic interests by increasing regional and sub-regional economic integration: such initiatives provided an opportunity for improving the quality of intra-regional relations, and for promoting assimilation into a regional community. For example, north-south economic cooperation, or cooperation between developed and developing economies, was promoted through the establishment of the Asia-Pacific Economic

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<sup>318</sup> See Croissant, "Unrest in South Thailand." Alexander Horstmann, "Dual Ethnic Minorities and the Local Reworking of Citizenship at the Thailand-Malaysian Border," Centre for International Borders Research (CIBR) Working Papers in Border Studies CIBR/WP02-3, [http://www.qub.ac.uk/research-centres/CentreforInternationalBordersResearch/Publications/WorkingPapers/CIBRWorkingPapers/Fileupload\\_174412.en.pdf](http://www.qub.ac.uk/research-centres/CentreforInternationalBordersResearch/Publications/WorkingPapers/CIBRWorkingPapers/Fileupload_174412.en.pdf) [accessed on 26/10/11].

<sup>319</sup> Croissant and Trinn, "Culture, Identity and Conflict in Asia and Southeast Asia," 30; Duncan McCargo and Ukrist Pathmanand, *The Thaksinization of Thailand* (Copenhagen: NIAS, 2004).

<sup>320</sup> Croissant and Trinn, "Culture, Identity and Conflict in Asia and Southeast Asia," 31.

Cooperation Forum (APEC) in 1989.<sup>321</sup> In addition, developing countries were also motivated to strengthen economic cooperation, and economic growth among themselves, after the Group of 77, or the United Nations Conference on Trade and Development (UNCTAD), failed to reduce the disparities in the international economic system. At the time, internal factors also encouraged, and motivated regional and sub-regional economic cooperation. These internal factors include an economy that is liberalizing, outward-looking, and reducing barriers to trade.<sup>322</sup> The combination of external factors – an international trend toward regional economic integration – and internal factors related to an expanding economy, motivated ASEAN member states to discuss an ASEAN Free Trade Area (AFTA) in 1992, and to initiate sub-regional economic cooperation frameworks, or “growth triangles” to promote mutual economic benefits among neighbouring areas. This includes the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), which was formed by the governments of Indonesia, Malaysia and Thailand in 1993 to accelerate economic growth in the peripheral, less developed provinces.

#### *The IMT-GT and the Reversal of Differentiation*

The IMT-GT is significant for this chapter, since it demonstrates that state actors have become less defensive of their border areas, which represent a critical demarcation of state sovereignty and national identity; moreover, the IMT-GT also indicates efforts by state actors to promote economic partnership and mutual benefits, which is intended to sustain peace and stability in the border areas, to reverse any differentiation of the other as an external security threat, and thereby facilitate assimilation into a regional community. As officially stated on the IMT-GT website, the IMT-GT is intended to promote economic growth, to promote

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<sup>321</sup> APEC member countries include Australia, Brunei Darussalam, Canada, Chile, People’s Republic of China, Hong Kong, Indonesia, Japan, Republic of Korea, Malaysia, Mexico, New Zealand, Papua New Guinea, Peru, the Philippines, Russia, Singapore, Chinese Taipei, Thailand, the United States, and Vietnam.

<sup>322</sup> See Helen E.S. Nesadurai, “Attempting developmental regionalism through AFTA: the domestic sources of regional governance,” *Third World Quarterly* 24, No. 2 (2003): 235-253.

peaceful international relations, and to improve the physical connectivity, among the concerned parties, as well as to contribute to the realization of an ASEAN Economic Community.<sup>323</sup> At present, it is composed of 14 provinces in southern Thailand, 8 states of Peninsular Malaysia, and 10 provinces of Sumatra in Indonesia.<sup>324</sup> Academia tends to view growth triangles, such as the IMT-GT, as indicators of close economic relations and cross-border migration. As such, they define growth triangles as “a few neighbouring provinces of different countries interlinked closely through trade, investment, and personal movement across national borders.”<sup>325</sup> Financial institutions, such as the Asian Development Bank (ADB), have provided financial and technical support to the IMT-GT since 2007, and views growth triangles as a means to promote mutual economic benefits and to facilitate integration between diverse countries.<sup>326</sup> More specifically, the ADB refers to the concept of growth triangles as the

exploitation of complementarity among geographically contiguous countries to help them gain greater competitive advantages in export promotion. Growth triangles help solve the practical problems of regional integration among countries at different stages of economic development, and sometimes, even with different social and economic systems.<sup>327</sup>

Thus, growth triangles are expected to promote closer relations between diverse regional states, and to facilitate assimilation into a regional community.

The IMT-GT was intended to improve Thai-Malaysian relations by promoting economic growth and stability in the border area, and by advancing the economic well-being of the ethnic Malay minority in southern Thailand; moreover, it was intended to reverse

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<sup>323</sup> See “About IMT-GT,” <http://www.imtgt.org/About.htm> [accessed on 13/02/12].

<sup>324</sup> “Indonesia-Malaysia-Thailand Growth Triangle,” <http://www.imtgt.org> [accessed on 13/02/12].

<sup>325</sup> Ipppei Yamazawa, “Economic Integration in the Asia Pacific Region and the Option for Japan,” in François Gipouloux, ed., *Regional Economic Strategies in East Asia: A Comparative Perspective* (Tokyo: Maison Franco-Japanese, 1994), 262.

<sup>326</sup> Asian Development Bank, “Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT),” <http://beta.adb.org/countries/subregional-programs/imtgt> [accessed on 13/02/12].

<sup>327</sup> Medhi Krongkaew, “The Development of the Greater Mekong subregion in the APEC context,” in Kao Kim Hourn and Jeffrey A. Kaplan, eds., *The Greater Mekong Subregion and ASEAN: From Backwaters to Headwaters* (Phnom Penh: Cambodian Institute for Cooperation and Peace, 2000), 34-35.

differentiation of the Thai government by the ethnic Malaysian society, both in southern Thailand and Malaysia, and to facilitate assimilation in southern Thailand, for national security and for the improvement of bilateral relations. State actors supported the IMT-GT, since they expected the liberalization of regulatory regimes, and the promotion of mutual benefits from their different economic strengths, to facilitate economic development in the relatively poor national peripheries.<sup>328</sup> In 1998, the southern Thai provinces of Narathiwat and Yala had the first and third highest poverty levels in the country; moreover, unemployment was also high throughout the southern region.<sup>329</sup> Returns in the dominant agricultural sectors of fisheries and rubber were diminishing, due to resource depletion and falling market prices. At the same time, the rise of drug usage in border communities also worsened the economic situation there in the 1990s.<sup>330</sup> From a political economy perspective, the IMT-GT was significant since it sought to advance the role of the ethnic Malay population in economic development, by promoting their relations with sub-regional economic partners of similar ethnic, linguistic, and religious backgrounds.

Before the IMT-GT was established, the Thai government treated the Malay identity as a problem to be overcome; however, after the establishment of the IMT-GT, the Thai government came to identify the Malay identity as social capital, in terms of the Malay minority's capacity for networking with economic partners across the border, and thereby facilitating cross-border economic exchanges.<sup>331</sup> The Thai government's recognition and promotion of the Malay identity are processes which are related to the empowerment of local

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<sup>328</sup> Phil King, "The Indonesia-Malaysia-Thailand Growth Triangle: How the South Was Won...and Then Lost Again," in Wattana Sugunnasil, ed., *Dynamic Diversity in Southern Thailand* (Songkla, Thailand: Prince of Songkla University, 2005), 93.

<sup>329</sup> Ibid.

<sup>330</sup> Ibid.

<sup>331</sup> Joseph A. Camilleri, *States, Markets, and Civil Society in Asia Pacific: The Political Economy of the Asia Pacific*, Volume 1 (Cheltenham: Edward Elgar, 2000): 13, 51-52; see also Patrick Jory, "Political Decentralisation and the Resurgence of Regional Identities in Thailand," *Australian Journal of Social Issues* 34, No. 4 (1999): 337-352.

organizations, and perceived as state-society collaboration for peace building.<sup>332</sup> In this regard, they constitute important processes to reverse Malay-Muslims' differentiation of the Thai government as a threat to their identity and socio-economic welfare, and to facilitate the maintenance of peace in the border areas.

### *Prospects for Assimilation: Multi-Dimensional Mutual Interests*

In the post-Cold War period, there was a momentum for bilateral cooperation between Thailand and Malaysia, for the following reasons. First, the Thai and Malaysian governments had just defeated the communists in the border area through joint efforts, and subsequently established a Thai-Malaysian Joint Commission for Bilateral Cooperation in 1987.<sup>333</sup> This Commission has since promoted closer relations and cooperation between the two countries.<sup>334</sup> Second, the Thai and Malaysian governments both participated in discussions to consolidate ASEAN in the post-Cold War period, such as discussions on an ASEAN Free Trade Area (AFTA) in 1992, and were driven by security and economic interests to consolidate the ASEAN region through other means, such as sub-regional and bilateral cooperation. Third, the establishment of the IMT-GT, and its aims (economic growth, peaceful relations and sub-regional connectivity) also encouraged cooperation in other areas, in order to consolidate border security and to strengthen intra-regional relations. Fourth, given that Thailand and Malaysia are neighbouring countries with a shared border, they have a mutual interest in maintaining security and stability. Moreover, it is in their political and security interests to demonstrate their recognized mutual interest in promoting each other's security, and thereby reverse any differentiation of the other as an external security threat. All

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<sup>332</sup> Horstmann, "Approaching peace in Patani," 59.

<sup>333</sup> See General Dato Kitti Ratanachaya, *The Communist Party of Malaya, Malaysia and Thailand: Truce Talks ending The Armed Struggle of the Communist Party of Malaya* (Bangkok, Thailand: Duangkaew Publishing House, 1996), 284; Chandran Jesurun, *Malaysia: Fifty Years of Diplomacy 1957-2007* (Kuala Lumpur, Malaysia: The Other Press, 2007), 235.

<sup>334</sup> See Ministry of Foreign Affairs Thailand, "Opening Remarks by His Excellency Dr. Surakiart Sathirathai," 8 March 2003, <http://www.mfa.go.th/web/showNews.php?newsid=3897&Qsearch=Thai-Malaysianrelations> [accessed on 28/04/10].

of these background conditions motivated the expansion of bilateral cooperation in the 1990s, to the extent that it included the exchange of political activists. In 1994, Thailand arrested and handed over the head of a deviant Islamic sect, Darul Arqam; in response, Malaysia substantially withdrew its covert support for southern insurgent groups (support can be traced back to the 1960s), and handed over five separatist leaders of a secessionist organization, the Pattani United Liberation Organization (PULO) in 1998.<sup>335</sup> Under Mahathir's premiership in 1998, there were also successful joint police raids against secessionists in northern Malaysia. This bilateral cooperation led to the arrest of several leaders, and in the following months, it was reported that "over 900 militants...joined a government-sponsored 'rehabilitation' program, pledging to become active participants in peaceful national development."<sup>336</sup> Thus, shared economic interests and joint economic development can encourage the expansion of intra-regional cooperation into other areas, while shared political and security interests appear to be the main catalysts for accelerating the improvement of bilateral relations.

In the 1990s, the Malaysian and Thai governments were driven by political and economic interests to promote interactions, and close relations, between their border communities; as such, they were deconstructing their shared border from the top-down, and promoting bilateral assimilation for mutual benefits, as well as for the benefit of regional security and regional community building as a whole. Malaysian Prime Minister Mahathir Mohamad (1981-2003) sought to sustain economic development and to consolidate a national identity, by promoting his vision of a technology-driven Islamic modernity; this vision was extended to the Thai border provinces in the 1990s, as part of his concept of a borderless Malay civilization, and regional community building.<sup>337</sup> Such Pan-Malay sentiment from Malaysia was traditionally perceived as a threat to the Thai government's control of the

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<sup>335</sup> Funston, "Malaysia and Thailand's Southern Conflict," 239-240.

<sup>336</sup> Rita Camilleri, "Muslim Insurgency in Thailand and The Philippines: Implications for Malaysia's Cross-Border Diplomacy," *UNEAC (University of New England Asia Centre) Asia Papers*, 27 (2008): 72.

<sup>337</sup> See Mirzan Mahathir and Fazil Irwan, "Malaysia's Role in Asian Regional Cooperation: A Look at Foreign Policy Themes," *Asia-Pacific Review* 14, No. 2 (2007): 97-111.



southernmost provinces. However, in the 1990s, the concept of a borderless Malay civilization was compatible with the Thai government's aim to satisfy the domestic demand for trade by promoting economic cooperation with neighbouring countries, including cross-border economic exchanges.<sup>338</sup> Mahathir sought to promote the political and economic interests of the Malaysian race, in accordance to his Vision 2020, which included the development of a democratic society and one where there is a fair and equitable distribution of wealth.<sup>339</sup> At the same time, he also sought to reassure the Thai government that he did not seek to subvert the Malay Muslim minority in South Thailand. For this reason, he stated in 1998 that "Thais in Malaysia are loyal to Malaysia and likewise the Muslims in Thailand should be loyal to Thailand."<sup>340</sup> The IMT-GT was intended to advance the economic well-being of the Malays in southern Thailand, and to create incentives for them not to stir up violence in the south, as a form of protest against the central government. However, economic benefits from the IMT-GT have been unequally distributed and have mainly been concentrated in Songkhla province, rather than the southernmost provinces of Narathiwat, Pattani and Yala, which have a majority ethnic Malay population.<sup>341</sup> As a result, the IMT-GT produced "extremely little" for the majority Malay Muslim population in Thailand's southern provinces, which meant that poor socio-economic conditions persisted and continued to drive the southern conflict.<sup>342</sup> Thus, border security remained an issue in the Thai-Malaysian relationship, due to the poor socio-economic conditions of the Malay Muslim minority in southern Thailand, and the resultant southern conflict; such persistence of the issue of

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<sup>338</sup> King, "The Indonesia-Malaysia-Thailand Growth Triangle."

<sup>339</sup> Mahathir introduced his Vision 2020 in 1991. See Office of the Prime Minister of Malaysia, "The Way Forward," <http://www.pmo.gov.my/?menu=page&page=1904> [accessed on 14/02/12].

<sup>340</sup> Quoted in *ibid.*, 99.

<sup>341</sup> *Ibid.*, 100; see also Asian Development Bank, "Country Partnership Strategy: Thailand (2007-2011)," April 2007, <http://www.adb.org/Documents/CPSs/THA/2007/CPS-THA-2007-2011.pdf> [accessed on 18/10/11]; Australian Department of Foreign Affairs and Trade, "Growth Triangles of South East Asia," [http://www.dfat.gov.au/publications/pdf/growth\\_triangle.pdf](http://www.dfat.gov.au/publications/pdf/growth_triangle.pdf) [accessed on 18/10/11].

<sup>342</sup> King, "The Indonesia-Malaysia-Thailand Growth Triangle," 104.

security in intra-regional relations undermines the process of realizing an ASEAN Political Security Community, and the process of ASEAN community building as a whole.

### **III. An Interval of One-Sided Differentiation: The Escalating Conflict in Southern Thailand versus Cooperation for Political and Security Interests (2001-2006)**

In the post-Cold War period, differentiation was revived in Thai-Malaysian relations, due to an escalation of the conflict in southern Thailand. Such differentiation had previously occurred in the pre-Cold War and Cold War period, when Thai governments differentiated their Malaysian counterpart as a security threat, due to its history of providing refuge for Malay Muslims from the south of Thailand.<sup>343</sup> More specifically, support for the insurgents in southern Thailand has historically been centred in the state of Kelantan, in northern Malaysia, especially when Malaysia regained its independence during the Cold War, and there was a strong sense of Malay nationalism.<sup>344</sup> The issue of Malaysia's support for the Malay Muslims in southern Thailand, and differentiation of Malaysia, became subdued when the Thai and Malaysian governments collaborated against the communists in the border area from the mid-1970s to late 1980s. However, the issue was revived by Thai Prime Minister Thaksin Shinawatra in 2004, in reaction to the deteriorating situation in southern Thailand and the need to protect his political regime, and to shield it from blame. Thaksin sought to defend his government, and to distance it from the deteriorating southern conflict, by externalizing its causes. More specifically, he differentiated Malaysia as a combat training ground for the southern insurgents, and Indonesia as a source of the fundamentalist ideology behind the

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<sup>343</sup> Camilleri, "Muslim Insurgency in Thailand and the Philippines," 78.

<sup>344</sup> Kobkua Suwannathat-Pian, *Thai-Malay Relations: Traditional Intra-regional Relations from the Seventeenth to the Early Twentieth Centuries* (Singapore: Oxford University Press, 1988), 160; S.P Harish (Researcher at the Institute of Defense and Strategic Studies, Nanyang Technological University, Singapore), "How Malaysia sees Thailand's southern strife," *Asia Times Online*, 8 February 2006, [http://www.atimes.com/atimes/Southeast\\_Asia/HB08Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/HB08Ae01.html) [accessed on 23/10/11].

terrorist movements in Thailand.<sup>345</sup> In this regard, political interests led to differentiation, which strained the Thai-Malaysian relationship, and undermined the process of regional community building.

Thaksin's policy towards Malaysia demonstrates how political interests can undermine regional community building at both the bilateral and regional level; at the bilateral level, differentiation was pursued to protect the political regime, while at the regional level, Thaksin undermined the process of regional community building by implying that Malaysia had broken the regional norm of non-interference, through its interference in Thailand's internal affairs. Thaksin sought to protect his government from being blamed for a combination of policy flaws with regard to the southern conflict, which included policy flaws from previous governments as well as his own.<sup>346</sup> The most significant policy initiative to address the conflict in a comprehensive and systematic manner occurred under the premiership of Prem Tinsulanond (1980-1988). Prem sought to improve border security by establishing a new government agency, the Southern Border Provinces Administrative Centre (SBPAC) in 1981, which was intended to coordinate civilian administration in developing the southern border provinces, and to effectively address the local grievances there; moreover, Prem also sought to improve the image of the Thai government among the local Muslims by demonstrating its concern for their socio-economic welfare.<sup>347</sup> The SBPAC had its weaknesses and strengths. With regard to weaknesses, it was undermined by pervasive

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<sup>345</sup> Ukrist Pathmanand, "Thaksin's Achilles' Heel: The Failure of Hawkish Approaches in the Thai South," in Duncan McCargo, ed., *Rethinking Thailand's Southern Violence* (Singapore: National University of Singapore Press, 2007), 79; Pavin Chachavalpongpun, "Thailand and Malaysia Move to Mend Fences," *The Irrawaddy*, 26 December 2009, [http://www.irrawaddy.org/opinion\\_story.php?art\\_id=17471](http://www.irrawaddy.org/opinion_story.php?art_id=17471) [accessed on 07/04/10]; Ian Storey, "Malaysia's Role in Thailand's Southern Insurgency," *Terrorism Monitor* 5, Issue 5, 15 March 2007, [http://www.jamestown.org/single/?no\\_cache=1&ttnews%5Btt\\_news%5D=1043](http://www.jamestown.org/single/?no_cache=1&ttnews%5Btt_news%5D=1043) [accessed on 07/04/10]; Supalak Ganjanakundee, "Analysis: Thaksin's Blame Game Backfires," *The Nation*, 23 December 2004, <http://www.nationmultimedia.com/specials/south2years/dec2304.php> [accessed on 09/12/09].

<sup>346</sup> See Marc Askew, *Conspiracy, Politics, and a Disorderly Border: The Struggle to Comprehend Insurgency in Thailand's Deep South* (Washington D.C.: East-West Center, 2007), 66-67.

<sup>347</sup> See Matt Wheeler, "People's Patron or Patronizing the People?: The Southern Border Provinces Administrative Centre in Perspective," *Contemporary Southeast Asia* 32, No. 2 (Aug., 2010): 208-233.

corruption and competition among the civilian administration of the southern border provinces, and was ineffective in gathering intelligence.<sup>348</sup> However, the SBPAC had worked hard to cultivate trust between state actors on the one hand, and Muslim leaders and communities on the other, to the extent that the ruling Democrat Party (1997-2001) successfully managed to co-opt the Malay Muslim elite.<sup>349</sup> Moreover, the SPBAC developed a reputation for improving governance and border security, and was viewed by the local people as a “key conflict management structure,” as well as “a beacon of ideas of administrative justice” for the south of Thailand.<sup>350</sup> Thus, despite its weaknesses, the SPBAC made a significant contribution to the management of the southern conflict and improvement of border security; however, it was dissolved by Thaksin in mid-2002 for political interests, leading to a re-escalation of the southern conflict and deteriorating Thai-Malaysian relations.

Thai-Malaysian relations worsened under Thaksin’s premiership, mainly because Thaksin was more interested in centralizing, rather than decentralizing, state power, as demanded by the Malay Muslims in the south; and because he chose to discard previous efforts to improve the southern conflict by his political opposition. Thaksin’s centralizing policies partly contributed to the resurgence of a separatist movement and violence in the south of Thailand in December 2001, after a number of policemen died in separate attacks.<sup>351</sup> His subsequent dissolution of the SBPAC in mid-2002 further worsened the situation, by estranging the Malay Muslim elite that had successfully been co-opted by the Democrat Party, and by removing the only venue for discussion among all the relevant stakeholders: the only venue where “soldiers, police, Muslim leaders and religious teachers, and local officials

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<sup>348</sup> Askew, *Conspiracy, Politics, and a Disorderly Border*, 66-68; Croissant, “Unrest in South Thailand,” 31.

<sup>349</sup> See Horstmann, “Approaching peace in Patani.”

<sup>350</sup> Bajoria and Zisis, “The Muslim Insurgency in Southern Thailand”; Duncan McCargo, “Thaksin and the Resurgence of Violence in the Thai South,” in Duncan McCargo, ed., *Rethinking Thailand’s Southern Violence* (Singapore: National University of Singapore Press, 2007), 41.

<sup>351</sup> See Pavin Chachavalpongpun, *Reinventing Thailand: Thaksin and His Foreign Policy* (Singapore: Institute of Southeast Asian Studies, 2010), 185.

met to exchange views and compare notes.<sup>352</sup> Thaksin dissolved the SBPAC because it was controlled by his opposition, the Democrat Party, and because it had close ties with former Prime Minister Prem Tinsulanond, who was known to oppose Thaksin.<sup>353</sup> The resultant lack of interactions and cooperation among relevant stakeholders, and distant relationship between the south and central government, led to a resurgence of the southern conflict. Moreover, the underlying separatist movement had also gained momentum in reaction to Thaksin's nationalist discourse, which projected an image of Buddhist superiority, and the increasing religious intolerance that formed part of Thaksin's centralisation policy.<sup>354</sup> This underlying separatist movement culminated in a series of violent incidents in 2004, which undermined border security and worsened Thai-Malaysian relations. In January 2004, at least a hundred armed men, who were believed to be Muslim insurgents, raided an army depot in Narathiwat province, and killed four Thai soldiers. The incident triggered a series of violent clashes in Thailand's three southernmost provinces, plus four districts in Songkhla.<sup>355</sup> The most serious clashes include the Krue Sae Mosque incident in April, when Muslim militants were brutally executed by the Thai state in retaliation for their terrorist attacks on police outposts. Another tragic event was the Tak Bai incident in Narathiwat province, when hundreds of local Muslims were arrested during a protest and were tightly packed into army trucks to be taken to a military camp; 78 detainees suffocated to death along the journey.<sup>356</sup> It was after these

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<sup>352</sup> See Duncan McCargo, ed., *Rethinking Thailand's Southern Violence* (Singapore: Singapore University Press, 2007); "Protests and coup rumours return: Thailand's squabbling elites seem intent on ruining the country," *The Economist*, 29 May 2008, <http://www.economist.com/node/11454958> [accessed on 14/10/11]; Tom Plate, *Conversations with Thaksin* (Singapore: Marshall Cavendish International, 2011); Horstmann, "Approaching peace in Patani"; Kavi Chongkittavorn, "Thailand: International Terrorism and the Muslim South," in *Southeast Asian Affairs 2004* (Singapore: Institute of Southeast Asian Studies, 2004), 274.

<sup>353</sup> See McCargo, *Rethinking Thailand's Southern Violence*; "Protests and coup rumours return: Thailand's squabbling elites seem intent on ruining the country," *The Economist*, 29 May 2008, <http://www.economist.com/node/11454958> [accessed on 14/10/11]; Tom Plate, *Conversations with Thaksin* (Singapore: Marshall Cavendish International, 2011); Horstmann, "Approaching peace in Patani, Southern Thailand – some anthropological considerations."

<sup>354</sup> See Duncan McCargo, "The Politics of Buddhist Identity in Thailand's Deep South: The Demise of Civil Religion?" *Journal of Southeast Asian Studies* 40, No. 1 (Feb., 2009): 11.

<sup>355</sup> See Chachavalpongpun, *Reinventing Thailand*, 185.

<sup>356</sup> "81 Dead: Riot Toll Hits 87," *Bangkok Post*, 13 October 2004; "Warnings of Bloodbath in Wake of Mass Deaths," *Bangkok Post*, 27 October 2004.

two incidents that Thaksin realized the need to defend his government's policies, and decided to do so by externalizing the causes of the deteriorating situation in southern Thailand to Malaysia and Indonesia.<sup>357</sup> His differentiation of these two countries, and public accusations, were pursued for domestic political gains, to the expense of private diplomacy, which could potentially have strengthened national security, while maintaining regional solidarity. Thus, Thaksin's centralisation policies vis-à-vis the south of Thailand, and his prioritisation of regime security over good intra-regional relations, led to the use of differentiation in both domestic and foreign policy, and restricted regional community building.

*Political and Security Interests, and the Reversal of Differentiation*

The Malaysian government chose to maintain national security and domestic political interests, and to promote a good image of Malaysia and Malaysia's status in the international community, by reversing differentiation. These political and security incentives were present since 2001, and have continued to motivate the Malaysian government's aim to reverse differentiation. The Malaysian government has been concerned about the violence in southern Thailand, since it could potentially stir up Islamic fundamentalism in Malaysia.<sup>358</sup> This concern was particularly acute after the terrorist attacks on 11 September 2001 (9/11) in the United States, due to possible links between local Muslim militants and Al Qaeda, which carried out the attacks. In addition to concerns over Muslim militants, the Malaysian government was also motivated to be cooperative vis-à-vis the conflict in southern Thailand, due to the need to continue improving the image of Prime Minister Mahathir Mohamad, after the sacking of his Deputy Prime Minister Anwar Ibrahim in 1998. This cooperative stance is evident in the emergence of new arrangements and agreements from 2001 onwards. For example, in December 2002, a first ever joint cabinet meeting was held, in which both sides

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<sup>357</sup> Ganjanakhundee, "Analysis: Thaksin's Blame Game Backfires."

<sup>358</sup> Chachavalpongpun, *Reinventing Thailand*, 188.

agreed to intensify their fight against terrorism and to increase bilateral economic cooperation.<sup>359</sup> Subsequently, an agreement was signed in May 2003, which included provisions to pursue joint security patrols, to standardize military operational procedures, and to further develop bilateral economic activities.<sup>360</sup> In July, Mahathir and Thaksin inaugurated an annual summit, the “Annual Consultation,” and agreed to “a degree of integration of the five southern provinces of Thailand and the northern Malaysian states of Kedah, Perlis and Kelantan.”<sup>361</sup> This aim was later consolidated as the “Joint Development Strategy,” which sought wider socio-economic cooperation in the border area. However, despite these good intentions, concrete outcomes from the Annual Consultation have generally been modest.<sup>362</sup> The Malaysian government gave importance to a Joint Development Strategy (JDS), since it found that one of the fundamental causes of the conflict in southern Thailand was the poor socio economic conditions.<sup>363</sup> The aim of the JDS was to increase economic linkages, and to boost development, between three provinces in southern Thailand – Yala, Narathiwat and Pattani – and the economically more developed states of northern Malaysia – Kelantan, Perak, Perlis and Kedah.<sup>364</sup> However, cooperation through the JDS has been marginal in the bilateral relationship. For example, in 2004-2011, there were only three meetings of the Thailand-Malaysia Committee on the JDS.<sup>365</sup> Nevertheless, two Thai diplomats note that the JDS has had a positive impact on bilateral relations. They state that the JDS benefits the border communities and that it contributes to improved relations between the state officials

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<sup>359</sup> “Thai-Malaysian Summit,” *The Nation*, 23 December 2002.

<sup>360</sup> “KL and Bangkok tighten border security,” *Agence France Presse*, 23 May 2003.

<sup>361</sup> “Mahathir: Malaysian-Thai Cooperation is a model for the world,” *Utusan Express*, 28 July 2003.

<sup>362</sup> Funston, “Malaysia and Thailand’s Southern Conflict,” 248.

<sup>363</sup> Storey, “Malaysia’s Role in Thailand’s Southern Insurgency.”

<sup>364</sup> For further details on the Joint Development Strategy (JDS), see Ministry of Foreign Affairs, Thailand, “First Meeting of the Thailand-Malaysia Committee on Joint Development Strategy for Border Areas (JDS),” 5 August 2004, <http://www.mfa.go.th/web/show/News.php?newsid=9822&Qsearch=Thai-Malaysianrelations> [accessed on 28/04/10].

<sup>365</sup> Ministry of Foreign Affairs, Thailand, “Foreign Minister meets with Malaysian Foreign Minister and UNODC Executive Director,” 23 September 2011, <http://www.mfa.go.th/web/2642.php?id=40846> [accessed on 23/10/11].

involved.<sup>366</sup> In this regard, developmental cooperation played a role in reducing incentives to incite violence; however, as shown earlier on in this chapter, such bilateral cooperation was undermined by the continued marginalization of the Malay Muslim minority in Southern Thailand.

In 2004, Thaksin sought to protect his political regime by simultaneously externalizing the causes of the southern conflict to Malaysia, and requesting the Malaysian government to send Islamic teachers to the south of Thailand, so that they could teach a moderate form of Islam and turn Muslims away from militant doctrines.<sup>367</sup> In this regard, differentiation of Malaysia was pursued for domestic political interests, while cooperation with Malaysia was pursued for national security. Many Malay-Muslims in the south of Thailand were already going to study abroad in the Middle East and Pakistan, before returning home to teach in religious schools.<sup>368</sup> According to a study by the Council on Foreign Relations in 2008, this import of overseas education resulted in the growth of more radical Islamic teachings in the south of Thailand over the years.<sup>369</sup> Thaksin's government became aware of this and subsequently encouraged Muslim teachers in the south of Thailand to study in Malaysia, so that they may promote moderate Islam when they return home.<sup>370</sup> In this endeavour, his government provided scholarships for Malay-Muslims in southern Thailand to study in Malaysia; these scholarships were also intended to improve the employment and entrepreneurship opportunities for Malay-Muslims, who are among the poorest of Thailand's population. In 2003, Thaksin's government had already invested 145

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<sup>366</sup> Two Thai diplomats working on Malaysia, interview by author, recording and note taking. Coffee shop near the Ministry of Foreign Affairs, Thailand, 5 June 2010.

<sup>367</sup> Funston, "Malaysia and Thailand's Southern Conflict," 242.

<sup>368</sup> Hasan Madmarn, *The Pondok and Madrash in Patani* (Malaysia: Penerbit Universiti Kebangsaan Malaysia, 2002), 80-83; Horstmann, "Approaching peace in Patani," 62.

<sup>369</sup> Bajoria and Zisis, "The Muslim Insurgency in Southern Thailand." See also Robert Albritton, "Thailand in 2004: The Crisis in the South," *Asian Survey* 45, No. 1 (Jan.-Feb. 2005): 166-173; Croissant, "Unrest in South Thailand: Contours, Causes, and Consequences Since 2001." The Council on Foreign Relations is an independent think tank based in the United States.

<sup>370</sup> Two Thai diplomats working on Malaysia, interview by author, recording and note taking. Coffee shop near the Ministry of Foreign Affairs, Thailand, 5 June 2010.



thousand Baht for educational scholarships, as part of the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) project; in 2004, it invested eight thousand Baht (the reduced amount was partly due to reduced funds for international cooperation and partly due to more funds being transferred to other bilateral projects, such as those with Laos and Timor Leste).<sup>371</sup> Nevertheless, despite the provision of scholarships, poor socio-economic conditions persisted in Thailand's southern provinces into 2005, and continued to drive the southern conflict, as well as to maintain Thai-Malaysian tensions, based on the poor conditions of the Muslim minority.<sup>372</sup>

Moreover, the southern conflict also strained bilateral relations, due to the issue of Thai Muslims fleeing security forces across the border, subsequently being recognized by the Malaysian government as political refugees, and being given asylum. This issue became particularly acute in August 2005, when the Malaysian Foreign Minister, Syed Hamid Albar, stated that the Thai Muslims would only be released upon the Thai government's guarantee of their human rights; to which Thaksin protested against what he described as interference in Thailand's internal affairs.<sup>373</sup> To prevent the Thai-Malaysian relationship from further deteriorating, the Thai and Malaysian Foreign Ministries sought to reverse differentiation between their state leaders, and to promote a cooperative mind-set between the two governments through the following agreement: "1) the conflict in the south must not give rise to bilateral conflict; 2) both sides must exchange information and monitor the situation closely; 3) both must not give wrong information to the media."<sup>374</sup> However, despite these

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<sup>371</sup> *Thai International Cooperation Programme 2003-2004 Report* (Bangkok: Thailand International Development Cooperation Agency, 2005), 68-69, 83-84.

<sup>372</sup> King, "The Indonesia-Malaysia-Thailand Growth Triangle," 104.

<sup>373</sup> Chachavalpongpun, *Reinventing Thailand*, 187; "Southern unrest: Thaksin tells the world to back off," *The Nation*, 2 May 2004; "Fleeing Thais put neighbour Malaysia in tight spot," *Reuters*, 3 September 2005; "Malaysia says open to dialogue with Thailand over refugees," *Agence France Presse*, 29 September 2005; Singapore Institute of International Affairs, "Will Thai-Malaysian row undermine regional summits in KL?" 21 October 2005, <http://www.siiiaonline.org/?q=programmes/insights/will-thai-malaysian-row-undermine-regional-summits-kl> [accessed on 18/10/11]; Harish, "How Malaysia sees Thailand's southern strife."

<sup>374</sup> Chachavalpongpun, *Reinventing Thailand*, 189.

efforts, Thaksin decided to maintain his political interests by continuing to differentiate Malaysia, based on its alleged interference in southern Thailand. In this case, the pursuit of differentiation can be interpreted as a strategic choice by political leaders to maintain their interests, rather than an imposed choice that was dictated by historical legacy or domestic demand.

The Malaysian government chose to promote the reversal of differentiation for national security interests, especially after Thaksin's accusations of its involvement in 2004. It sought to reverse Thailand's differentiation of Malaysia as a training ground, and refuge, for southern Muslim separatists, in order to maintain peaceful borders, and to prevent spill-over of Thailand's southern conflict into Malaysia. In this endeavour, the Malaysian government proposed to do away with the Thai-Malaysian dual citizenship in 2004, since it enabled insurgents to carry out violent attacks in southern Thailand before fleeing across the border into Malaysia to escape arrest.<sup>375</sup> Subsequently, the Thai and Malaysian governments agreed to introduce a "smart card" border pass system, which was intended to facilitate the identification of insurgents in southern Thailand, while maintaining regular border exchanges.<sup>376</sup> However, despite the introduction of "smart cards," some people still maintained dual citizenship, in order to maximise their employment opportunities and to maintain economic benefits, such as land and income, on both sides of the border.<sup>377</sup> In this regard, border assimilation has both benefits and drawbacks. On the one hand, it facilitates regional community building through good people-to-people relations across borders. On the other hand, it also undermines border security by enabling southern insurgents to escape security forces and by providing them with an easily accessible refuge. Thus, efforts by the

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<sup>375</sup> "Thailand, Malaysia to drop border passes," *Phuket Gazette*, 17 August 2004, <http://www.thaivisa.com/forum/topic/15171-thailand-malaysia-to-drop-border-passes> [accessed on 30/10/11].

<sup>376</sup> "Bangkok seeks help in 'smart card' border system," *The Nation*, 18 August 2004, <http://www.thaivisa.com/forum/topic/15171-thailand-malaysia-to-drop-border-passes> [accessed on 30/10/11].

<sup>377</sup> Funston, "Thailand's Southern Fires," 57; Camilleri, "Muslim Insurgency in Thailand and the Philippines"; Johson, "Paradise at Your Doorstep," 309.

Malaysian and Thai governments to improve border security were complicated by the need to balance the promotion of regional community building with regional security.

In addition to facilitating the identification of southern insurgents while maintaining regular cross-border activities, the Malaysian government also pursued the reversal of differentiation by initiating bilateral meetings to promote dialogue and cooperation. For example, Malaysian Foreign Minister Syed Hamid Albar and Deputy Prime Minister Najib Razak flew to Bangkok in May 2004, to reaffirm their commitment to non-intervention, to express their support for Thaksin's argument that poverty was the main cause of the southern conflict, and that the conflict could be resolved by the Thai government.<sup>378</sup> A succession of Malaysian Prime Ministers – Mahathir Mohamad (1981-2003), Abdullah Badawi (2003-2009), and Najib Razul Razak (2009-the present) - have sought to improve Thai-Malaysian relations, and to reverse Thailand's differentiation of Malaysia, by emphasizing their policy of good neighbourliness and mutual economic benefits through bilateral relations.<sup>379</sup> All of these three governments have cooperated with Thailand, in terms of sharing intelligence and helping with the arrest of separatists.<sup>380</sup> In addition, in 2005, Abdullah Badawi and Mahathir Mohamad held informal discussions with the head of Thailand's National Reconciliation Commission, which was charged with recommending policies, measures, mechanisms and ways conducive to reconciliation and peace in Thai society, particularly the three southern border provinces.<sup>381</sup> Abdullah Badawi and Mahathir Mohamad sought to reassure the head of Thailand's National Reconciliation Commission, Anand Panyarachun, that Malaysia did not

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<sup>378</sup> "Malaysia says poverty main cause," *Bangkok Post*, 5 May 2004.

<sup>379</sup> See Chachavalpongpun, "Thailand and Malaysia Move to Mend Fences"; Mergawati Zulfakar, "Malaysia's hope for peace in southern Thailand," *The Star*, 7 December 2009, <http://www.asianewsnet.net/home/news.php?sec=3&id=8972> [accessed on 28/04/10].

<sup>380</sup> Wassana Nanuam, "With a little help from Malaysia," *Bangkok Post*, 18 September 2004, [http://www.thaiworld.org/en/include/print.php?text=4b&category\\_id=5&print=true](http://www.thaiworld.org/en/include/print.php?text=4b&category_id=5&print=true) [accessed on 07/04/10]; Funston, "Thailand's Southern Fires," 63.

<sup>381</sup> The National Reconciliation Commission (NRC) was established in 2005. It was also charged with submitting a report to the Prime Minister and the public on the causes of political-social divisions, and recommended policies for reconciliation. See Report of The National Reconciliation Commission (NRC), 16 May 2006, [http://www.thailand.ahrchk.net/docs/nrc\\_report\\_en.pdf](http://www.thailand.ahrchk.net/docs/nrc_report_en.pdf) [accessed on 30/04/10].

support the separatist movement in southern Thailand.<sup>382</sup> Mahathir also met with Thaksin in December 2005 to discuss Thailand's southern conflict. The result was a Joint Development and Peace Plan for Southern Thailand, or the Mahathir Plan, which focused on the promotion of Malay culture and economic development in southern Thailand, as well as the creation of an independent tribunal to try security officers involved in human rights violations.<sup>383</sup> The Mahathir Plan has thus far not been implemented by Thai governments, due to other pressing domestic political developments, such as the increasing political and social polarization, and protests, as well as the rapid turn-over of different administrations, which makes it difficult to form consistent, long-term policies. Thus, successive Malaysian governments have continued to promote the reversal of differentiation; however their efforts have been hindered by Thailand's domestic politics, and the preference of some Thai leaders, such as Thaksin, to pursue differentiation.

In addition to political and security incentives, the Malaysian government was also motivated to reverse differentiation, in order to promote a good image of Malaysia, and to strengthen Malaysia's status in the international community. The Malaysian government was motivated to reverse differentiation, to demonstrate its recognition of Thailand and Malaysia's common membership in ASEAN, and its promotion of ASEAN solidarity. Moreover, its membership of the Organization of Islamic Cooperation (OIC) also created an incentive to project a proactive role, in terms of securing the interests of fellow Muslims.<sup>384</sup> By expressing concern, and seeking reassurances from the Thai government on the protected interests of Malay-Muslims, the Malaysian government also sought to promote mutually beneficial bilateral exchanges (e.g., in technology), as well as to maintain support from the

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<sup>382</sup> Chachavalpongpun, "Thailand and Malaysia Move to Mend Fences."

<sup>383</sup> Funston, "Thailand's Southern Fires," 63.

<sup>384</sup> The OIC was inaugurated in 1970. It consists of 57 states, which share the common aim to safeguard and to protect the interests of the Muslim world. See Organisation of Islamic Cooperation, "About OIC," [http://www.oic-oci.org/page\\_detail.asp?p\\_id=52](http://www.oic-oci.org/page_detail.asp?p_id=52) [accessed on 19/10/11].

domestic Muslim population.<sup>385</sup> In this endeavour, the Malaysian government has sponsored a number of educational and economic projects, which seek to quell the separatist conflict in southern Thailand.<sup>386</sup> In addition, it was also in Malaysia's interest to reverse Thailand's differentiation, due to the possible negative impact on Malaysia's role as a facilitator of peace in other regional insurgencies.<sup>387</sup> In 2006, Malaysia was facilitating the peace process between the Philippine government and the Moro Islamic Liberation Front (MILF). Malaysia was also part of the Aceh Monitoring Mission, which was responsible for monitoring the implementation of the Memorandum of Understanding between the Indonesian government and the Gerakan Aceh Merdeka (GAM), of the Free Aceh Movement. Thus, there were both domestic and international considerations which motivated successive Malaysian governments to follow developments in southern Thailand, and to facilitate its resolution whenever possible.

#### **IV. Prospects for Community Building: Expanded Bilateral Cooperation, Mutual Reversal of Differentiation, and On-Going Cross-Border Assimilation (2007-2009)**

The Thai and Malaysian government aimed to improve border security by promoting bilateral cooperation in education, which was intended to improve the economic prospects of the Muslim minority in southern Thailand, as well as to bridge cultural and religious differences, namely, differences between Thai Buddhists and Malay Muslims.<sup>388</sup> With this objective in mind, the Thai and Malaysian governments signed an agreement to provide scholarships for Malay-Muslims in the south of Thailand in 2007. The agreement established contacts between the two countries' education institutions, especially in southern Thailand, in the areas of religious education, curriculum development and training, as well as student

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<sup>385</sup> See Camilleri, "Muslim Insurgency in Thailand and The Philippines."

<sup>386</sup> See *ibid.*

<sup>387</sup> See Harish, "How Malaysia sees Thailand's southern strife."

<sup>388</sup> See Ministry of Foreign Affairs Thailand, "Opening Remarks by His Excellency Mr. Tej Bunnag," <http://www.mfa.go.th/web/ShowNews.php?newsid=3878&Qsearch=Thai-Malaysianrelations> [accessed on 28/04/10].

exchanges.<sup>389</sup> In this regard, it sought to cater to the different religious and cultural preferences of Malay-Muslims in the south of Thailand, and to enable them to maintain, and to consolidate their identity, thereby reversing their differentiation of the Thai government as a threatening hegemon. By catering to the different preferences of Malay-Muslims, the Thai government sought to demonstrate its recognition, and respect, for their different culture. Moreover, the Thai government's policy can also be interpreted as an attempt to demonstrate its attention to minority rights (in this case, the Malay-Muslim population in southern Thailand), to the Malaysian government and the international community, thereby promoting good bilateral relations and a positive international image. The Thai-Malaysian agreement in 2007 included the training of four thousand Malay-Muslims from the south of Thailand at institutes of education in Malaysia.<sup>390</sup> With regard to student exchanges, there have been exchanges between law undergraduates at Thailand's Prince of Songkla University (PSU), in the south of Thailand, and the University of Malaya (UM), to promote better understanding of each other's legal systems.<sup>391</sup> Such exchanges are intended to reverse differentiation of the other as an unfamiliar, and alien entity, and to facilitate assimilation into a regional community, where regional states are aware of, and can coexist, with each other's differences. Thus, the reversal of differentiation was initially driven by security interests, which led to expanded bilateral cooperation, into such areas as education, and increasing bilateral people-to-people exchanges.

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<sup>389</sup> The Associated Press, "Malaysia, Thailand Ink Pact to Boost Education, Economy in Thailand's Insurgency-hit South," 21 August 2007, <http://www.peacefaction.com/?=828> [accessed on 27/04/10]; The Government Public Relations Department, Thailand, "Thai-Malaysian Cooperation in Improving Thailand's Southern Border Provinces," 24 August 2007, [http://thailand.prd.go.th/view\\_monarchy.php?id=2255](http://thailand.prd.go.th/view_monarchy.php?id=2255) [accessed on 07/04/10]; see also Ministry of Foreign Affairs, Thailand, "The 10<sup>th</sup> Thai-Malaysia Joint Commission Meeting," 29 June 2007, <http://www.mfa.go.th/web/2642.php?id=20579> [accessed on 03/05/10].

<sup>390</sup> Zulfakar, "Malaysia's hope for peace in southern Thailand."

<sup>391</sup> Sharifah Arfah, "Law: Meeting of Minds," *New Straits Times Online*, 28 April 2010, [http://www.nst.com.my/Current\\_News/NST/articles/20100424173837/Article/index\\_html](http://www.nst.com.my/Current_News/NST/articles/20100424173837/Article/index_html) [accessed on 28/04/10].

*New Governments and the Reversal of Differentiation (2008-2009)*

Malaysia's policy of reversing Thailand's differentiation and improving the bilateral relationship, continued into Najib Razak's administration (2009 to the present), as evidenced by the Prime Minister's speeches, the increase in joint projects, and the naming of a Friendship Bridge to symbolize improved bilateral relations.<sup>392</sup> Prime Minister Najib Razak sought to convey Malaysia's concern, and to demonstrate that Malaysia was playing a proactive role to the Malay-Muslims in southern Thailand; at the same time, he also emphasized his respect for Thailand's territorial integrity and the ASEAN Way of non-interference in another country's internal affairs. As a result, he presented Malaysia as a willing participant and facilitator in the resolution of Thailand's southern conflict, rather than one of the main actors.<sup>393</sup> In an interview with the press in 2009, Najib Razak related his discussions with the Malay-Muslims in southern Thailand as follows:

What I've been telling them, what we have been telling them, is to be part of some form of autonomy. You may not even want to call it autonomy, but at least some form of them participating in things that matter to them. For example, in education, in selecting their local leaders, in employment, the question of religious education. These are things that matter to them. It does not intrude into the fundamental question related to the Constitution of Thailand – or how Thailand is governed. But these are things that the government can consider for their people...

I want to make it very clear that this is a domestic consideration. This is internal. We want to be as helpful as possible. You the Thais, must be comfortable with the level of autonomy.

...our part is to be supportive, that's all. But we're not going to negotiate on your behalf. We're not going to go beyond what a good neighbour would do. We must respect Thailand's sovereignty.<sup>394</sup>

Moreover, Najib Razak sought to reverse the Thai government's differentiation of Malaysia as a supporter of the separatist movement in southern Thailand, by stating that the Malay-Muslims there

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<sup>392</sup> Chachavalpongpun, "Thailand and Malaysia Move to Mend Fences." The Friendship Bridge links Malaysia's Bukit Bunga, in Kelantan state, to Thailand's Ban Buketa, in Narathiwat province.

<sup>393</sup> Ibid.

<sup>394</sup> Sutichai Yoon, "What does Najib mean by 'autonomy' for the South?" *The Nation*, 29 October 2009, <http://www.asianewsnet.net/home/news.php?sec=3&id=8430> [accessed on 28/04/10].

should be good Muslims and good Thai citizens. They must be loyal to Thailand, to the King, to the constitution in Thailand, but at the same time they should be good Muslims and they should be allowed to be good Muslims. And the system here in Thailand should allow for that – as much as we allow in Malaysia.<sup>395</sup>

In this regard, Najib Razak reiterated the Malaysian government's respect for Thailand's territorial integrity, and sought to erase any suspicion or doubt as to whether his government supported the creation of a separate, independent state. To further demonstrate his government's respect for Thailand's territorial integrity, Najib chose to assess the conflict in the south of Thailand by visiting the area with Thai Prime Minister Abhisit Vejjajiva, rather than making a unilateral visit, and to emphasize Malaysia's support in helping to maintain peaceful borders and cross-border exchanges.<sup>396</sup> This cooperative stance was reciprocated by Thai Prime Minister Abhisit Vejjajiva (2008-2011), who similarly chose to pursue political and security interests by reversing differentiation and improving the Thai-Malaysian relationship.

Abhisit was motivated to improve the situation in southern Thailand and Thai-Malaysian relations, in order to consolidate the legitimacy of his government, by demonstrating its aim to promote equitable economic development and social justice, as well as a peaceful region.<sup>397</sup> Abhisit sought to improve relations between the central government and the southern provinces by promoting a bottom-up approach, whereby local communities are able to discuss and present proposals on the kind of development projects they want, and the Cabinet responds by approving these projects. Such a bottom-up approach led to increasing interactions between local people and government officials, and improved

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<sup>395</sup> Ibid.

<sup>396</sup> Don Pathan, "Will Malaysia get the mediator's role to resolve South Conflict?" *The Nation*, 10 June 2009, <http://www.nationmultimedia.com/home/2009/06/10/opinion/Will-Malaysia-get-the-mediator-s-role-to-resolve-s-30104726.html> [accessed on 28/04/10].

<sup>397</sup> Council on Foreign Relations, "Transcript: A Conversation with Abhisit Vejjajiva, Prime Minister, Thailand," 24 September 2010, <http://www.cfr.org/thailand/conversation-abhisit-vejjajiva-prime-minister-thailand/p23035> [accessed on 15/02/12].



relations between these two actors.<sup>398</sup> However, Abhisit acknowledged that there were still incidents of abuses of power in the southern provinces, which made it difficult to build trust between the local people on the one hand, and government officials and security forces on the other. Although his government did attempt to address this problem by setting up a more transparent and accountable complaints system, this system failed to effectively check the abuses of power by security forces, especially given the fact that the military dominated policy-making in the southern provinces.<sup>399</sup> This is one of the reasons why resentment against the central government was maintained and why violence persisted in southern Thailand. Nevertheless, efforts by Abhisit's government to engage the local communities and to provide funding for developmental projects demonstrated the aim to cater to the needs of the Malay Muslim minority and to improve border security, for political and national interests, including the improvement of Thai-Malaysian relations and sub-regional security. In terms of Thai-Malaysian relations, Abhisit sought to distance himself from the negative impact of previous policies of differentiation, and to strengthen his government's legitimacy by demonstrating its aim to improve Thailand's relations with neighbouring countries. In this endeavour, he promoted Thai-Malaysian cooperation on security, intelligence, and law enforcement, and supported the continuation of joint development between Thailand's southernmost provinces and the northern states of Malaysia.<sup>400</sup> Thus, the reversal of differentiation under Abhisit's premiership was motivated by the need to repair bilateral

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<sup>398</sup> Ibid.; see also US Embassy Bangkok (Thailand), "A/S Shapiro Visit: Bilateral Ties and Domestic Progress Highlighted," 25 January 2010, <http://www.cablegatesearch.net/cable.php?id=10BANGKOK197> [accessed on 15/02/12]; Ora-Orn Poocharoen, "The Bureaucracy: Problem or Solution to Thailand's Far South Flames?" *Contemporary Southeast Asia* 32, No. 2 (Aug., 2010): 184-207.

<sup>399</sup> International Crisis Group (an independent, non-profit, non-governmental organisation, committed to preventing and resolving conflict), "Southern Thailand: Moving towards Political Solutions?" Asia Report No. 181, 8 December 2009, <http://www.crisisgroup.org/en/regions/asia/south-east-asia/thailand/181-southern-thailand-moving-towards-political-solutions.aspx> [accessed on 16/02/12].

<sup>400</sup> Council on Foreign Relations, "Transcript: A Conversation with Abhisit Vejjajiva, Prime Minister, Thailand"; Agence France Presse (AFP), "Malaysia, Thailand to cooperate over restive Thai south," 8 June 2009, <http://www.news.asiaone.com/News/Latest+News/Asia/Story/A1Story20090608-147073.html> [accessed on 15/02/12].

relations after the Thaksin era, and to consolidate his regime legitimacy at the domestic level and the international level, vis-à-vis other countries.

### *Underlying People-Centred, Cross-Border Assimilation*

Irrespective of fluctuations in state-centred differentiation, a high degree of assimilation has existed, and will continue to exist, between the Thai and Malaysian border communities, due to the historical legacy of a Greater Pattani Kingdom, and cross-border kinship ties, especially between communities in Kelantan, Malaysia, and Narathiwat in Thailand. Kinship ties generate a “feeling of fraternity,” and are a major factor behind mobility across the Thai-Malaysian border.<sup>401</sup> For example, people will cross the border to reunite with their family and to take part in cultural activities.<sup>402</sup> A “feeling of fraternity” is also facilitated by the media and cultural diplomacy, namely, how Kelantanese watch Thai television programmes, and how Thai university students visit Kelantan to teach Thai culture.<sup>403</sup> Various universities in Thailand organize annual visits to Kelantan; during these week-long visits, Thai students would teach Thai dance, basic Thai, and kick-boxing to Kelantanese teenagers.<sup>404</sup> Assimilation through bilateral exchanges is also promoted by the holiday and pilgrimage tours that are jointly organized by Kelantan’s Buddhist temples and travel agents in Narathiwat. These tours unite Kelantan and Narathiwat villagers, and have been facilitated by the development of infrastructure and transportation, for example, the Thai and Malaysian governments’ operated ferry service between the two countries.<sup>405</sup> Thus, despite Thailand’s southern conflict and state-centred differentiation, cross-border

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<sup>401</sup> Irving Chan Johnson, “Paradise at Your Doorstep: International Border Fluidity and Cultural Construction amongst Kelantan’s Thai Community,” in Wattana Sugunnasil, ed., *Dynamic Diversity in Southern Thailand* (Songkla, Thailand: Prince of Songkla University, 2005), 318.

<sup>402</sup> See Irving Johnson, “Movement and Identity Construction Amongst Kelantan’s Thai Community,” [http://www.uni-muenster.de/Ethnologie/South\\_Thai/working\\_paper/Johnson\\_paper/Johnson\\_Kelantan.pdf](http://www.uni-muenster.de/Ethnologie/South_Thai/working_paper/Johnson_paper/Johnson_Kelantan.pdf) [accessed on 28/04/10].

<sup>403</sup> Johnson, “Paradise at Your Doorstep,” 315, 318.

<sup>404</sup> Ibid., 318.

<sup>405</sup> Ibid., 307-308.

assimilation is maintained through kinship ties, the positive role of the media, as well as bilateral people-to-people exchanges.

Moreover, economic incentives also promote cross-border interactions and assimilation, which can be interpreted as a process of bridging between nation-states, and as an underlying process of regional community building that becomes strengthened through state policies to maintain border security. Malay-Muslims in the south of Thailand have economic incentives to assume a Malaysian identity, since they can migrate there for a livelihood with a sustainable, higher income; for example, they can work as fishermen in the Malaysian archipelago of Langkawi.<sup>406</sup> Many Malay-Muslims from southern Thailand hold Malaysian identification cards, and are on an electoral roll in Kelantan, in northern Malaysia.<sup>407</sup> On the part of Malaysia, Thai identity cards are mainly obtained to facilitate border crossings for family visits and leisure, as well as for participation in cultural events. Malaysians found that Thai identity cards could easily be obtained by bribing Thai officials in Narathiwat, or registering a birthday in Thailand with the help of a relative or friend who was a Thai citizen.<sup>408</sup> Alternatively, some Kelantanese obtained Thai citizenship by investing in land, in Narathiwat, for rubber and fruit tree plantations. They are officially supposed to surrender their Malaysian citizenship after assuming the Thai nationality. However, most of them did not, since dual citizenship facilitates cross-border mobility, and enables individuals to maintain their economic interests, such as land and income, in both countries.<sup>409</sup> Thus, economic incentives contribute to the maintenance of cross-border assimilation and dual citizenship.

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<sup>406</sup> Horstmann, "Dual Ethnic Minorities and the Local Reworking of Citizenship at the Thailand-Malaysian Border."

<sup>407</sup> Camilleri, "Muslim Insurgency in Thailand and The Philippines," 70.

<sup>408</sup> Johnson, "Paradise at Your Doorstep," 309.

<sup>409</sup> Ibid.

Dual citizenship lessens the distinctiveness of national identity, since people in the border area are able to live a “pluri-local social life,” to have “social relations which encompass social worlds in Thailand and Malaysia,” and, in doing so, promote intra-regional, people-centred community building.<sup>410</sup> People in the border area are constantly deconstructing the border, and carrying out the “transnationalisation” of everyday life through cross-border activities, in order to maintain assimilation.<sup>411</sup> Their practice of dual citizenship represents a post-national form of belonging, and serves as a model for a regional community, whereby there is a high frequency of cross-border activities and a shared regional identity. Moreover, the practice of dual citizenship on the Thai-Malaysian border also serves as a model for regional community building, whereby intra-regional borders are deconstructed, and society is actively involved in the process of promoting regional assimilation. Irrespective of whether dual nationality is pursued to facilitate family contacts or economic benefits, it is an indicator of the high degree of assimilation between border communities, and constitutes a striking contrast to state-centred differentiation, which results from state policies and state discourse. Given that differentiation is predominantly state-centred, the reversal of differentiation, and prevention of its recurrence, is ultimately dependent on the political will of state actors to cultivate a discourse, and to institutionalize policies, that would facilitate such processes. Moreover, as demonstrated by the case of Thai-Malaysian relations, the media and cultural diplomacy also play an important role in reversing differentiation, and promoting assimilation; and have the potential to be used for larger scale impact, in order to promote assimilation into an ASEAN Community.

Cross-border assimilation, a peaceful border area, and border security, are all threatened by Thailand’s domestic politics. More specifically, they are threatened by any

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<sup>410</sup> Horstmann, “Dual Ethnic Minorities and the Local Reworking of Citizenship at the Thailand-Malaysian Border.”

<sup>411</sup> Ibid.

efforts on the part of the Thai government to centralize governance, and to impose their definition of a Thai identity, as well as the government's failure to significantly improve the socio-economic conditions of Malay-Muslims in the south of Thailand. All of these factors add fuel to the southern conflict, and have the potential to trigger a vicious cycle, whereby protests lead to violent clashes and the government's suppression of protesters, which lead to refugees fleeing across the border, and to tensions and conflict between the Thai and Malaysian governments. The southern conflict is predominantly home-grown, and, as such, requires immediate domestic remedies, so that it does not cause further damage to the bilateral relationship, in terms of differentiation, and restricted progress towards assimilation into a peaceful, ASEAN Community.

## **V. Conclusion**

This chapter tested ASEAN's progress in regional community building, based on the extent to which there has been a shift from differentiation to assimilation in the Thai-Malaysian relationship. The chapter identified Thailand's domestic politics as the main source of differentiation for the following reasons. Thailand's domestic politics has contributed to the present southern conflict, which has a historical legacy of producing differentiation in the Thai-Malaysian relationship. In the early 20<sup>th</sup> century, the Thai government's centralisation policies contributed to the emergence of a separatist movement in southern Thailand, and attempts by separatists to obtain support from the Malaysian government, and to use Malaysia as a refuge from Thai security forces. Implications of Malaysia's involvement in the southern conflict created tensions between the Thai and Malaysian governments. However, the issue of Thailand's southern conflict became overshadowed by the threat to both governments' regime security, emanating from a communist insurgency in the border area, in the 1970s. This shared threat provided an incentive for bilateral cooperation against the communists, which subsequently paved the

way for the institutionalization of bilateral cooperation through a Joint Commission, as well as the expansion of bilateral cooperation into other areas. Thus, the initial reversal of differentiation was stimulated by shared political and security interests, which became prioritized over the plight of an ethnic Malay minority in southern Thailand.

Following the successful bilateral cooperation against the communists in 1989, further incentives for the reversal of differentiation emerged, namely, an international trend towards economic integration, and prospects for promoting economic growth and stability in the border area. These economic and security incentives motivated the establishment of an Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) in 1993, which reversed differentiation by promoting economic partnership for mutual benefits. Moreover, the IMT-GT was intended to address the causes of Thailand's southern conflict by advancing the role of the ethnic Malay minority in economic development. However, their poor socio-economic conditions persisted, and continued to drive the southern conflict and to undermine border security, thereby demonstrating how improvements in Thai-Malaysian relations remain hindered by Thailand's domestic politics.

The Thai-Malaysian relationship is significant for demonstrating how domestic political interests can fuel one-sided differentiation, to the expense of improved bilateral relations and regional community building. This was particularly the case in 2001-2006, when Thai Prime Minister Thaksin Shinawatra sought to find a scapegoat for the negative impact of his policies, by externalizing the causes of the deteriorating situation in southern Thailand to Malaysia and Indonesia. However, instead of reciprocating differentiation, the Malaysian government decided to pursue its political and security interests by promoting the reversal of differentiation. This pursuit of the same interests, through different strategies, demonstrates how the act of differentiation is a choice made by state leaders, rather than an imposed choice from domestic or international considerations. For example, Thaksin

differentiated the Malaysian government as a cause of the southern conflict, in order to protect his political regime; however, there is evidence to suggest that he did not completely perceive the Malaysian government as a threat, since he requested its cooperation in spreading the teachings of moderate Islam in southern Thailand. Thus, the Thai-Malaysian relationship emphasizes the importance of state leaders' choices and strategies for the reversal of differentiation and regional community building.

At the same time, the Thai-Malaysian relationship also demonstrates how underlying people-centred processes of community building continue to take place, irrespective of state-centred differentiation. This is due to the historical legacy of a Greater Pattani Kingdom, cross-border kinship ties, economic incentives for seeking dual citizenship, as well as bilateral people-to-people exchanges, which are encouraged by both the Thai and Malaysian governments, and their universities. As such, the Thai-Malaysian relationship has witnessed progress in assimilation, in terms of an expansion of the existent cross-border assimilation, towards wider people-to-people exchanges to improve and consolidate good bilateral relations. The only obstacles to improvements in Thai-Malaysian relations are the Thai government's policies towards the south, which can either improve or escalate the southern conflict and border insecurity; and the Thai government's choice of policy towards Malaysia, which can be complete differentiation, a combination of differentiation and cooperation, or the reversal of differentiation. Most recently, the Thai government has reciprocated Malaysia's efforts to reverse differentiation, and thus contributed to progress towards assimilation in the bilateral relationship, as well as progress towards regional community building, based on mutual, positive identification and peaceful relations between regional states.

## **Chapter Five: Participatory Regionalism – Widening ASEAN Regionalism to Civil Society Organizations (CSOs)**

This chapter tests ASEAN's progress towards a regional community based on the significance of new regionalism, as indicated by participatory regionalism. Participatory regionalism is defined as the participation of civil society organizations (CSOs) in regional policy-making. It is one of the key characteristics associated with liberal democracies, whereby economic growth is expected to lead to the growth of the middle class, which will support the expansion of political space for CSOs, and, thus, greater political participation. Moreover, political theorists expect economic growth to lead to urbanization, higher standards of living and educational levels, as well as increased exposure to the mass media, which facilitates broad political participation.<sup>412</sup> Such participation is characteristic of a democratic political system. As argued by the political theorist Charles Tilly:

A regime is democratic to the degree that political relations between the state and its citizens feature broad, equal, protected, mutually binding consultation. Democratization then means net movement toward broader, more equal, more protected, and more mutually binding consultation.<sup>413</sup>

This chapter interprets “mutually binding consultation” as consultations between state actors and CSO representatives, in which current policies are evaluated, and alternative policies are discussed; and state actors are obliged to follow up on CSOs’ policy proposals – either by explaining why they cannot be pursued, or arranging future meetings for further discussion. If such consultations take place at the domestic level, scholars of regionalism predict that the states involved would support similar processes at the regional level, due to the argument that

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<sup>412</sup> See Charles Tilly, *Democracy* (Cambridge: Cambridge University Press, 2007), 148.

<sup>413</sup> *Ibid.*, 54.



regional institutions reflect domestic political dynamics.<sup>414</sup> In this regard, one would expect a link between democratization and state-CSO consultations in ASEAN member states, and these states' support for democratic values and participatory regionalism in ASEAN. Conversely, one would expect the lack of democratization and state-CSO consultations in other ASEAN member states to be linked to these states' reluctance to include democratic values, and to support participatory regionalism, in ASEAN.

This chapter adopts Robert Dahl's indicators for democratic international organizations to assess participatory regionalism in ASEAN. Dahl uses the same indicators to test for democracy in national systems and international organizations. These include the creation of institutions that enable citizens to participate, the availability of information on the political process for the population, and the existence of public debate.<sup>415</sup> Dahl is sceptical of democracy in international organizations. In brief, he argues that populations in general have difficulty in participating in the policy-making of national governments, which suggests that this difficulty would be even greater in international organizations.<sup>416</sup> Nevertheless, the ASEAN Civil Society Conferences (ACSC), which have taken place in Southeast Asia since 2005 suggest the emergence of democratic political processes in terms of enabling CSOs to articulate their preferences to the government through a joint statement.<sup>417</sup> The question is whether these preferences are actually considered by governments and whether they are translated into policies.

Based on the three indicators for participatory regionalism – public participation, availability of information, and public debate – a spectrum of participatory regionalism can

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<sup>414</sup> See, for example, Amitav Acharya, "Democratization and the prospects for participatory regionalism in Southeast Asia," in *Asian Regional Governance: Crisis and Change*, edited by Kanishka Jayasuriya (London: RoutledgeCurzon, 2004), 140.

<sup>415</sup> Robert A. Dahl, *On Democracy* (New Haven, CT: Yale University Press, 1999), 31.

<sup>416</sup> See *ibid.*

<sup>417</sup> On democratic political processes, see Robert A Dahl, *Polyarchy: Participation and Opposition* (New Haven, CT: Yale University Press, 1971), 2.

be created. On one end of the spectrum is what I will call closed participatory regionalism, which is characterized by i) selected public participation that is limited to specific social groups, for example, students and pro-government CSOs; ii) availability of information on fait accompli, or official documents which have already been agreed on by state actors; iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are not given feedback or acted upon. On the other end of the spectrum of participatory regionalism is open participatory regionalism, which features i) open public participation, whereby anyone can participate; ii) availability of draft policies for feedback and voting; iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are given feedback and there is a negotiated outcome between state actors and CSOs.

Existing studies on participatory regionalism in ASEAN argue that it is either non-existent, or that it is closed, as defined above. Scholars have criticized ASEAN's engagement with CSOs as "superficial," and producing "a change in rhetoric rather than in policy." Moreover, they also criticise ASEAN's inclusion of CSOs in ASEAN regionalism as "limited to conferences, symposia, and seminars," whereby CSOs can voice their opinions, but cannot participate in the decision-making on ASEAN policies.<sup>418</sup> The explanations provided for the limited role of CSOs include the tradition of exclusive state-led regionalism, and incompatible preferences for the future of ASEAN regionalism between the democratizing and authoritarian ASEAN member states.<sup>419</sup> The lack of progress in widening ASEAN regionalism to new regional actors led scholars, such as David Jones, to conclude

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<sup>418</sup> Kelly Gerard, "The Emergence of Participatory Multilateralism and the East Asian Case," [http://www.apsa2010.com.au/full-papers/pdf/APSA2010\\_0238.pdf](http://www.apsa2010.com.au/full-papers/pdf/APSA2010_0238.pdf) [accessed on 24/01/11]; Alexander C. Chandra, "Indonesia's Non-State Actors in ASEAN: A new regionalism agenda for Southeast Asia?" *Contemporary Southeast Asia* 26, No. 1 (2004): 159.

<sup>419</sup> Gerard, "The Emergence of Participatory Multilateralism."

that ASEAN remains an intergovernmental association, and “a state-driven process rooted in consciousness of relative power.”<sup>420</sup>

This chapter builds on existing studies by analysing the different explanations for ASEAN’s widening of regional processes to CSOs, and how CSOs have sought to magnify their allocated space within ASEAN regionalism, through capacity-building and the organization of activities parallel to that of ASEAN member states.<sup>421</sup> The chapter highlights the problem of states’ preference for closed participatory regionalism, in contrast to CSOs’ preference for open participatory regionalism. States interpret participatory regionalism as raising awareness on ASEAN, including the public in certain ASEAN themed activities which are not political, for example, ASEAN’s promotion of cultural and educational exchanges within the region. CSOs share this interpretation, but go further in their advocacy of participatory regionalism by linking the process to democratization. This chapter not only analyses the role of ASEAN member states in facilitating, or limiting, participatory regionalism, but also the role of CSOs. Thus, it demonstrates the parallel processes of state-led and CSO-led regionalism, and the interactions between them that determine progress in community building.

The first section of this chapter will trace the opening of ASEAN regionalism to non-state actors, starting with the regional network of “think tanks,” ASEAN-ISIS, in 1988, to the reinvention of ASEAN in the post-Cold War period, especially after the Asian Financial Crisis in 1997. The second section focuses on the link between national and regional institutions. The section firstly demonstrates how democratization in ASEAN as a whole does

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<sup>420</sup> David Martin Jones, “Security and Democracy: The ASEAN Charter and the Dilemmas of Regionalism in South-East Asia,” *International Affairs* 84, No. 4 (July 2008): 735-756.

<sup>421</sup> See, for example, Mely Caballero-Anthony, “Challenging Change: Nontraditional Security, Democracy, and Regionalism,” in *Hard Choices: Security, Democracy and Regionalism in Southeast Asia*, edited by Donald K. Emmerson (Stanford and Singapore: The Walter H. Shorenstein Asia-Pacific Research Center and Institute of Southeast Asian Studies, 2008); Meredith L. Weiss, “Civil Society in a Re-Conceptualized Southeast Asian Security Environment,” in *Comprehensive Security in the Asia-Pacific Region*, edited by Hari Singh and Colin Dürkop (Seoul: Konrad Adenauer Stiftung, 2010).

not seem to be a prerequisite for participatory regionalism. Rather, participatory regionalism mainly emerged, and progressed, as a result of the following supportive dynamics in these ASEAN member states: Indonesia, Malaysia, the Philippines and Thailand's prior engagement with development-oriented CSOs, as well as Indonesia's democratization. Conversely, the section also demonstrates how participatory regionalism is restricted by the less open, and less democratic ASEAN member states. After focusing on the states' supply side of participatory regionalism, the third section will focus on the demand side, based on what CSOs want out of participatory regionalism, and the extent to which they have achieved their aims. More specifically, the section will focus on CSOs' demands for the ASEAN Charter and their reaction to the final product. The chapter will then conclude, in brief, that there is on and off closed participatory regionalism, and that progress towards open participatory regionalism depends on democratizing ASEAN member states.

### **I. Widening ASEAN Regionalism**

ASEAN regionalism was firstly widened to the regional network of "think tanks", ASEAN-ISIS, which grew out of a meeting organized by the Centre for Strategic and International Studies (CSIS), Jakarta, for research institutions in the ASEAN region in 1988.<sup>422</sup> ASEAN-ISIS is an association of non-governmental organizations registered with ASEAN. Its founding members include the Centre for Strategic and International Studies (CSIS) of Indonesia, the Institute of Strategic and International Studies (ISIS) of Malaysia, the Institute of Strategic and Development Studies (ISDS) of the Philippines, the Singapore Institute of International Affairs (SIIA), and the Institute of Security and International Studies (ISIS) of Thailand. Its stated purpose is

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<sup>422</sup> For literature on ASEAN-ISIS, see Hadi Soesastro, Clara Joewono, and Carolina G. Hernandez, eds., *Twenty Two Years of ASEAN ISIS: Origins, Evolution and Challenges of Track Two Diplomacy* (Indonesia: Centre for Strategic and International Studies (CSIS), 2006); See also Mely Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: Institute of Southeast Asian Studies, 2005).

to encourage cooperation and coordination of activities among policy-oriented ASEAN scholars and analysts, and to promote policy-oriented studies of, and exchanges of information and viewpoints on, various strategic and international issues affecting Southeast Asia's and ASEAN's peace, security and well-being.<sup>423</sup>

ASEAN-ISIS pursues “track two” diplomacy, which has been defined by the Director of the Philippines Institute for Strategic and Development Studies as “the generation and conduct of foreign policy by nonstate actors, including government officials in their private capacity.”<sup>424</sup> Such diplomacy includes “the participation of scholars, analysts, media, business, people's sector representatives, and other opinion makers who shape and influence foreign policy and/or actually facilitate the conduct of foreign policy by government officials through various consultations and cooperative activities, networking and policy advocacy.”<sup>425</sup> ASEAN member states came to recognize ASEAN-ISIS for their expertise in analysing regional affairs and in proposing new policies to maintain regional security, namely, the ASEAN Regional Forum (ARF).<sup>426</sup> For this reason, they institutionalized the meeting between the Heads of ASEAN-ISIS and the ASEAN Officials Meeting (SOM) in 1993.

At the time, the end of the Cold War had stimulated new expectations of regionalism. For example, ASEAN was confronted with pressure from business groups to adopt further economic and business functions, as well as pressure from civil society to widen ASEAN regionalism beyond state actors.<sup>427</sup> Subsequently, regional developments motivated the reinvention of ASEAN. These include: the aftermath of the Asian Financial Crisis (1997), the

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<sup>423</sup> ASEAN ISIS Network Website, [http://www.siiiaonline.org/asean-isis\\_network](http://www.siiiaonline.org/asean-isis_network) [accessed on 19/01/08].

<sup>424</sup> Carolina Hernandez, *Track Two Diplomacy, Philippine Foreign Policy, and Regional Politics* (Quezon City: The University of the Philippines Press, 1994), 6; See also Joseph V. Montville, “The Arrow and the Olive-Branch: A Case for Track Two Diplomacy,” in *Conflict Resolution: Track Two Diplomacy*, edited by John W. MacDonald and Dian B. Bendahmane (Washington D.C.: Institute for Multi-Track Diplomacy, 1995), 9.

<sup>425</sup> Hernandez, *Track Two Diplomacy*, 6.

<sup>426</sup> See Sheldon W. Simon, “Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience,” *Pacific Review* 15, No. 2 (2002): 167-200; Mikael Weissman, “Peacebuilding in East Asia: the role of Track 2 diplomacy, informal networks, and economic, social and cultural regionalization,” in *Conflict Management, Security and Intervention in East Asia: Third-Party Mediation in Regional Conflict*, edited by Jacob Bercovitch, Kwei-Bo Huang and Chung-Chian Teng (New York: Routledge, 2008).

<sup>427</sup> See Leszek Buszynski, “ASEAN's New Challenges,” *Pacific Affairs* 70, No. 4 (Winter 1997-1998): 556.

forest fires in Indonesia and subsequent regional haze (1997), as well as the regional impact of domestic politics, namely, the political coup in Cambodia (1997) and East Timor's vote for independence (1999).<sup>428</sup> ASEAN leaders realized the urgency of reversing the negative perception of ASEAN, after they were criticized for their handling of the financial and environmental crises. As stated by the former Singaporean Foreign Minister, Professor S. Jayakumar: "If we continue to be perceived as ineffective, we can be marginalized as our Dialogue Partners and international investors relegate us to the sidelines. The danger is real."<sup>429</sup> Moreover, the failure of the International Monetary Fund's (IMF) rescue packages to restore confidence and stability in the Thai and Indonesian currency and stock markets by December 1997 also motivated the consolidation of regional mechanisms to boost economic recovery and to maintain economic security. For example, ASEAN leaders deepened and accelerated the implementation of the ASEAN Free Trade Area (AFTA), the ASEAN Investment Area (AIA) and the ASEAN Industrial Cooperation (AICO) scheme. With regard to the forest fires in Indonesia, ASEAN increasingly opened up its proceedings to international organizations, such as the United Nations Environment Programme (UNEP), and CSOs. CSOs were able to meet ASEAN environment officials and to give them recommendations, thereby making an entry into the process of ASEAN policy-making.<sup>430</sup> In response to domestic developments which have a regional impact, such as the coup in Cambodia and subsequent delay in Cambodia's ASEAN membership, ASEAN leaders informally adopted "enhanced interaction" as a model for intra-regional relations. "Enhanced interaction" encourages ASEAN member states to comment on domestic developments that affect ASEAN.

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<sup>428</sup> See Simon S.C. Tay and Jesus P. Estanislao, "The Relevance of ASEAN: Crisis and Change," in *Reinventing ASEAN*, edited by Simon S.C. Tay, Jesus P. Estanislao, and Hadi Soesastro (Singapore: Institute of Southeast Asian Studies, 2001).

<sup>429</sup> Quoted in Simon S.C. Tay, "Preface," in *Reinventing ASEAN*, edited by Simon S.C. Tay, Jesus P. Estanislao, and Hadi Soesastro (Singapore: Institute of Southeast Asian Studies, 2001), ix. For a list of ASEAN's Dialogue Partners, see the ASEAN Secretariat website.

<sup>430</sup> Tay and Estanislao, "The Relevance of ASEAN: Crisis and Change," 12.

The reinvention of ASEAN was manifested in ASEAN leaders' ambitious "ASEAN Vision 2020," which was issued in December 1997, just a few months after the Financial Crisis struck. The Vision took account of ASEAN's previous achievements and set out goals to consolidate them in three areas: regional cooperation, economic growth, and community building.<sup>431</sup> The Vision recognized the role of CSOs in helping disadvantaged social groups. It stated that a "community of caring societies" was to be realized and that it would be one "where the civil society is empowered and gives special attention to the disadvantaged, disabled, and marginalized."<sup>432</sup> Moreover, the Vision also expressed support for participatory regionalism by envisaging "Southeast Asian nations as being governed with the consent and greater participation of the people, with its focus on the welfare and dignity of the human person and the good of the community."<sup>433</sup>

In accordance with these aims, Carolina Hernandez (Director of the Institute for Strategic and Development Studies, Manila) proposed that ASEAN-ISIS create an ASEAN People's Assembly (APA) as a regional mechanism in the year 2000. APA took the form of annual meetings between CSOs, which were overseen by the ASEAN-ISIS network of think tanks. These think tanks then conveyed the outcome of the APA meetings to Foreign Ministry officials. Prior to APA, Hernandez observed that

If (the people) were involved, it was usually on the basis of a top-down approach, where implementation, rather than planning and strategizing, was open only to select circles seen as cooperative, rather than constructively critical or destructively confrontational.<sup>434</sup>

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<sup>431</sup> ASEAN Secretariat, "ASEAN Vision 2020," Kuala Lumpur, 15 December 1997, <http://www.aseansec.org/1814.htm> [accessed on 28/04/11].

<sup>432</sup> Ibid.

<sup>433</sup> Ibid.

<sup>434</sup> Carolina G. Hernandez, "Setting ASEAN's Agenda: The Role of the People," in *Report of the First ASEAN People's Assembly*, Batam, Indonesia, 24-26 November 2000 (Jakarta, Indonesia: Centre for Strategic and International Studies, 2000), 113.

According to the ASEAN-ISIS concept paper, APA was intended to promote greater awareness of ASEAN member states and an ASEAN Community, facilitate increased people-to-people relations within the region, as well as discuss socio-economic problems and their possible solutions.<sup>435</sup> APA served as a foundation for participatory regionalism by providing a platform for CSOs in Southeast Asia to discuss their shared regional concerns, such as the protection of human rights, and to develop joint positions and joint policy proposals.

ASEAN governments allowed CSOs to participate in regional affairs as observers and commentators in APA, under the supervision of ASEAN-ISIS. ASEAN-ISIS adopted a cautious approach to widening regionalism to CSOs, due to the potential for state-CSO interactions to supplant interactions between ASEAN and ASEAN-ISIS as an indicator of inclusive regionalism.<sup>436</sup> Some scholars, such as See Seng Tan, argue that ASEAN-ISIS projected themselves as mediators between states and CSOs, in order to protect their privileged access to state actors. Moreover, it is argued that this mediation resulted in states' perceptions of ASEAN-ISIS as a gate-keeper to the traditional state-led regionalism.<sup>437</sup> However, ASEAN-ISIS' role as gate-keeper did not last. CSOs such as Focus on the Global South, observed that APA's proposals to ASEAN were not producing any new policies.<sup>438</sup> Moreover, differences also emerged between ASEAN-ISIS and some CSOs on how ASEAN integration should be pursued.<sup>439</sup> For example, ASEAN-ISIS supports open regionalism: a process which involves "regional economic integration without discrimination against economies outside the region."<sup>440</sup> On the other hand, national and regional CSOs fear the

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<sup>435</sup> Quoted in Caballero-Anthony, *Regional Security in Southeast Asia*, 241.

<sup>436</sup> See Seng Tan, interview by author, note taking, S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore, 16 June 2010.

<sup>437</sup> Ibid.

<sup>438</sup> Chanida Chanyapate Bamford (Senior Associate at Focus on the Global South Bangkok office), interview by author, note taking, Focus on the Global South, Bangkok Office, 8 July 2010.

<sup>439</sup> Jenina Joy Chavez (from the NGO Focus on the Global South), interview by author, note taking, Focus on the Global South, Bangkok Office, 3 August 2010.

<sup>440</sup> Ross Garnaut, "Open Regionalism: Its Analytic Basis and Relevance to the International System," *Journal of Asian Economies* 5, No. 2 (1994): 273.



potential negative impact of open regionalism, and instead support closed regionalism, where external trade policies are not so open to commerce with countries outside the region.<sup>441</sup>

ASEAN-ISIS contributed to the emergence of participatory regionalism by initiating APA; however, CSOs soon came to realize its limitations, and ASEAN leaders would soon have to initiate a state-CSO meeting to follow up on their rhetoric on an ASEAN Community.

ASEAN leaders continued to express their support for participatory regionalism in subsequent statements on the reinvention of ASEAN, namely, the “ASEAN Concord II” (or Bali Concord II), which was adopted at the Ninth ASEAN Summit in October 2003. The “ASEAN Concord II” declared the aim to establish an ASEAN Community comprising three pillars: an ASEAN Security Community (ASC), an ASEAN Economic Community (AEC), and an ASEAN Socio-Cultural Community (ASCC). With regard to participatory regionalism, the “ASEAN Concord II” expressed the aim to include “the active involvement of all sectors of society, in particular women, youth, and local communities.”<sup>442</sup>

Among the ASEAN leaders, former Malaysian Prime Minister Abdullah Badawi (2003-2009) supported a people-centred approach to regionalism and played an important role in the emergence of ASEAN-CSO meetings. In a speech on the ASEAN Community in August 2004, he emphasized the need for a “people-centred ASEAN” and stated that “there must be adequate provisions for greater participation by the civil society in the ASEAN processes.”<sup>443</sup> Abdullah Badawi proposed the establishment of an ASEAN Studies Centre at the Universiti Teknologi Mara (UiTM), which was then delegated the task of hosting the first ASEAN Civil Society Conference (ACSC) by the Malaysian government, under

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<sup>441</sup> Alexander Chandra, “The Role of Non-State Actors in ASEAN,” in *Revisiting Southeast Asian Regionalism* (Bangkok, Thailand: Focus on the Global South, 2006), 77; Helen E.S. Nesadurai, “ASEAN and regional governance after the Cold War: from regional governance to regional community?” *The Pacific Review* 22, No. 1 (Nov., 2009): 111.

<sup>442</sup> ASEAN Secretariat, “Declaration of ASEAN Concord II,” (Bali Concord II), Bali, 7 October 2003, <http://www.aseansec.org/15159.htm> [accessed on 25/01/11].

<sup>443</sup> Abdullah Badawi, “Towards an ASEAN Community,” ASEAN National Colloquium, UiTM Hotel, Malaysia, 7 August 2004, <http://www.mgv.mim.edu.my/MMR/0506/050613.Htm> [accessed on 24/07/11].

Malaysia's ASEAN Chairmanship in 2005.<sup>444</sup> The ASEAN Civil Society Conference was intended to be an advanced form of APA, to include a meeting between CSOs and state leaders. In this regard, it was intended to promote participatory regionalism. However, one should note that the ASEAN Civil Society Conference also reflected competition for space within ASEAN regionalism between ASEAN-ISIS and CSOs, for the status of primary representatives of non-state actors. Thus, participatory regionalism is a contested political space, in which the friction and discord among non-state actors can potentially undermine progress in regional community building.

In any case, the first ASEAN Civil Society Conference (ACSC) was held parallel to the 11<sup>th</sup> ASEAN Summit in December 2005. It was supported by the ASEAN Secretariat and the Third World Network (TWN: a Malaysian CSO), and was attended by more than 100 participants from CSOs throughout Southeast Asia. The ACSC was intended as a platform for CSOs' engagement with ASEAN at the 11<sup>th</sup> ASEAN Summit and was a major milestone in participatory regionalism. At the 11<sup>th</sup> ASEAN Summit, ASEAN leaders also adopted the Kuala Lumpur Declaration, which announced the drafting process for an ASEAN Charter: a legal and institutional framework for ASEAN.<sup>445</sup> The ASEAN Charter was an attempt by ASEAN member states to reform ASEAN for the twenty-first century. It was intended to put ASEAN on a firmer institutional basis and to equip ASEAN with a legal personality that is separate from member states' national identity. This aim can be traced to the early 1970s when the founding members of ASEAN considered consolidating the association by drawing up a constitution.<sup>446</sup> However, instead of producing a constitution, ASEAN leaders produced

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<sup>444</sup> "CV of Secretary-General Prof. Dr. Rahmat Mohamad," <http://www.aalco.int/SGlatestCVfinal.pdf> [accessed on 24/07/11]. For documents on the Malaysian government's support for a people-centred ASEAN, see Ministry of Foreign Affairs, Malaysia, "ASEAN-Malaysia National Secretariat," [http://www.kln.gov.my/web/guest/dd-asean\\_malaysia](http://www.kln.gov.my/web/guest/dd-asean_malaysia) [accessed on 31/01/11].

<sup>445</sup> ASEAN Secretariat, "Kuala Lumpur Declaration on the Establishment of the ASEAN Charter," Kuala Lumpur, 12 December 2005, <http://www.aseansec.org/18030.htm> [accessed on 02/04/11].

<sup>446</sup> See Termsak Chalermpanupap, "Institutional Reform: One Charter, Three Communities, Many Challenges," in *Hard Choices: Security, Democracy, and Regionalism in Southeast Asia* (Stanford and

the Treaty of Amity and Cooperation in Southeast Asia, and the Declaration of ASEAN Concord in 1976. In the latter document, they acknowledged the need to improve “ASEAN machinery to strengthen political cooperation,” and committed themselves to study “the desirability of a new constitutional framework for ASEAN.”<sup>447</sup> These aims did not produce any immediate results, and it was not until the early 2000s, when plans for an ASEAN Community were announced, that such a constitutional framework became necessary and the idea of underpinning ASEAN with a constitution resurfaced. In 2003, ASEAN leaders agreed to realize an ASEAN Community and issued the Vientiane Action Program (VAP) in the following year, which listed action steps for community building for the years 2004-2010. These action steps included “the development of an ASEAN Charter” and “setting up relevant mechanisms” for that purpose.<sup>448</sup>

ASEAN leaders planned to launch their Charter in 2007 to celebrate ASEAN’s fortieth anniversary. Surin Pitsuwan, ASEAN Secretary-General (2008-2013), stated that ASEAN leaders came up with the idea for an ASEAN Charter to underpin the ASEAN Community, which requires “grassroots support, including the participation of CSOs” to be complete.<sup>449</sup> ASEAN leaders initiated an Eminent Persons Group (EPG) on the ASEAN Charter to draft recommendations on the Charter’s content and to submit them at the 12<sup>th</sup> ASEAN Summit.<sup>450</sup> The terms of reference for the EPG stated that the ASEAN Charter drafting process should include “region-wide consultations (with) all relevant stakeholders in

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Singapore: The Walter H. Shorenstein Asia-Pacific Research Center and Institute of Southeast Asian Studies, 2008), 101-102.

<sup>447</sup> ASEAN Secretariat, “Declaration of ASEAN Concord,” Indonesia, 24 February 1976, <http://www.aseansec.org/1216.htm> [accessed on 17/07/11].

<sup>448</sup> ASEAN Secretariat, “Vientiane Action Programme,” <http://www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf> [accessed on 17/07/11].

<sup>449</sup> Surin Pitsuwan, “Foreword,” in *Hard Choices: Security, Democracy, and Regionalism in Southeast Asia* (Stanford and Singapore: The Walter H. Shorenstein Asia-Pacific Research Center and Institute of Southeast Asian Studies, 2008).

<sup>450</sup> ASEAN Secretariat, “Chairman’s Statement of the 11<sup>th</sup> ASEAN Summit “One Vision, One Identity, One Community,”” Kuala Lumpur, 12 December 2005, <http://www.aseansec.org/18039.htm> [accessed on 01/02/11]; ASEAN Secretariat, “List of Members of the Eminent Persons Group (EPG) on the ASEAN Charter,” <http://www.aseansec.org/ACP-EPGMember.pdf> [accessed on 01/02/11].

ASEAN...especially representatives of civil society.”<sup>451</sup> Thus, provisions were made for civil society’s participation in a significant process to consolidate the ASEAN Community.

## **II. The Link between National and Regional Institutions**

One expects democratization in ASEAN member states to produce participatory regionalism, given that participatory regionalism is associated with democratic regional institutions, and that regional institutions reflect domestic political dynamics. However, this section firstly demonstrates how democratization in ASEAN as a whole does not seem to be a prerequisite for participatory regionalism. Rather, participatory regionalism mainly emerged as a result of the following supportive national dynamics in these ASEAN member states: Indonesia, Malaysia, the Philippines and Thailand’s prior engagement with development-oriented CSOs, as well as Indonesia’s democratization. These national dynamics provide an opening for public participation in policy-making and are more likely to generate support for similar processes at the regional level.

### *The Lack of Democratization in Southeast Asia*

While ASEAN member states have expressed their commitment to economic and social development (e.g. in the ASEAN Declaration of 1967), this has not always been accompanied by political liberalization and reform. ASEAN member states equated national security with regime security, and justified regime security as an important condition for national development. Throughout the 1950s and 1960s, military-backed regimes in Burma, Indonesia, Laos, Thailand, North and South Vietnam suppressed civil society groups that

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<sup>451</sup> ASEAN Secretariat, “Terms of Reference of the Eminent Persons Group (EPG) on the ASEAN Charter,” <http://www.aseansec.org/ACP-TOR.pdf> [accessed on 01/02/11].

were critical of, or perceived as a threat to the state.<sup>452</sup> In the 1970s, the emergence of communist regimes in Cambodia, Laos and Vietnam erased any prospect for the development of civil society in these countries. Civil society groups were relatively active for a while in Malaysia, the Philippines and Singapore. However, by the 1970s, their respective governments reacted against this mounting political challenge. The states of Malaysia and Singapore used a combination of legal and coercive mechanisms to exert control. For example, they have the ability to arrest and place political suspects under detention without trial, and have also constrained the rights of CSOs to mobilize and stage protests.<sup>453</sup> President Marcos of the Philippines resorted to martial law. With regard to Singapore, Prime Minister Lee Kuan Yew (1959-1990) argued that “the exuberance of democracy leads to undisciplined and disorderly conditions which are inimical to development.”<sup>454</sup> The historian Franklin Weinstein notes that these arguments were shared by other countries in Southeast Asia:

To be sure, the ruling elites see their national responsibilities in broader terms than the preservation of their own privileges. Egalitarian ideologies have become part of the everyday rhetoric of political discourse in Southeast Asia. But when these leaders are forced to make hard decisions, they tend to interpret any threat to their own survival as a challenge to national security.<sup>455</sup>

Thus, one would not expect ASEAN member states to promote democratization at the national and regional level until national security and stability was secured.<sup>456</sup>

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<sup>452</sup> Kevin Hewison, “Political Space in Southeast Asia: ‘Asian-style’ and Other Democracies,” *Democratization* 6, No. 1 (1999): 224-245.

<sup>453</sup> Huang Jingyun and Joseph Chinyong Liow, “Civil Society in Southeast Asia,” in V.R. Raghavan, ed., *Civil Society and Human Security: South and Southeast Asian Experiences* (India: Macmillan India, 2009), 23.

<sup>454</sup> Quoted in Amitav Acharya, “Democratising Southeast Asia: Economic Crisis and Political Change,” Working Paper No. 87 (Murdoch University, Perth: Asia Research Centre, 1998), 3.

<sup>455</sup> Quoted in Amitav Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific* (Singapore: Eastern Universities Press, 2003), 45.

<sup>456</sup> For a comprehensive list of constraints faced by ASEAN member states in promoting democratization, see Rizal Sukma, “Political Development: A Democracy Agenda for ASEAN?” in *Hard Choices: Security, Democracy and Regionalism in Southeast Asia*, edited by Donald K. Emmerson (Stanford and Singapore: The Walter H. Shorenstein Asia-Pacific Research Center and Institute of Southeast Asian Studies, 2008), 142-146.

In the post-Cold War period, political scientists criticized some ASEAN member states, such as Thailand, for implementing “minimal democracy,” whereby democracy is “just a system in which rulers are selected by competitive elections.”<sup>457</sup> Minimal democracy is the appearance of democracy without content or depth. According to political scientists David Beetham and Kevin Boyle, democracy has four main components: i) free and fair elections; ii) open and accountable government; iii) civil and political rights; and iv) a democratic or civil society.<sup>458</sup> All of these components are difficult to define in practice. However, Southeast Asia offers relatively clear-cut cases of non or limited democracies. For example, Brunei Darussalam is ruled by the monarchy and is highly centralized. Cambodian leaders are characterized as having authoritarian tendencies.<sup>459</sup> Some elections in Indonesia have been criticized for not providing a free and fair choice among political alternatives. For example, there are times when more than half of the Electoral College, which chooses the president, is nominated by the government. Moreover, there has not always been a choice of presidential candidates, and opposition parties are said to be weakened – through manipulation, harassment or ideological dilution – by the ruling regime.<sup>460</sup> Politics in the Lao People’s Democratic Republic (Lao PDR) is described as an outcome of “a remarkably secretive, but unquestionably cohesive, ruling elite.”<sup>461</sup> Myanmar is ruled by a military government, and although elections were held in 2010, this was the first election in 20 years. Moreover, the elections were also criticized for being neither free nor fair.<sup>462</sup> Singapore has experienced increasing regulation and management of civil society through the development

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<sup>457</sup> Adam Przeworski, “Minimalist Conception of Democracy: A Defense,” in *Democracy’s Value*, edited by Ian Shapiro and Casiano Hacker-Córdon (Cambridge: Cambridge University Press, 1999), 23.

<sup>458</sup> David Beetham and Kevin Boyle, *Introducing Democracy: 80 questions and answers* (Cambridge: Polity Press, 1995), 31-33.

<sup>459</sup> Pushpa Thambipillai *et al.*, “The ASEAN 10,” in *Regional Outlook Southeast Asia 2008-2009*, edited by Deepak Nair and Lee Poh Onn (Singapore: Institute of Southeast Asian Studies, 2008), 23.

<sup>460</sup> Chin Kin Wah and Leo Suryadinata, eds., *Michael Leifer; Selected Works on Southeast Asia* (Singapore: Institute of Southeast Asian Studies, 2005), 570.

<sup>461</sup> Martin Stuart-Fox, “Laos,” in *Regional Outlook Southeast Asia 2010-2011* (Singapore: Institute of Southeast Asian Studies, 2010), 33.

<sup>462</sup> Richard Horsey, “Myanmar,” in *Regional Outlook Southeast Asia 2010-2011* (Singapore: Institute of Southeast Asian Studies, 2010), 42.

of new mechanisms to co-opt ethnic, business and social groups.<sup>463</sup> As observed by Garry Rodan, a scholar on Southeast Asia, the major change in state-civil society relations in Singapore since the 1990s is “the expanding realm of the state through the extension and refinement of the mechanisms of political co-optation, not a more expansive civil society.”<sup>464</sup> Thailand has experienced 18 military coups in 60 years (the latest one was as recent as 2006) and is currently faced with deep political polarization and conflict.<sup>465</sup> Finally, the Vietnamese government has been challenged by the mass media to provide greater accountability and transparency in its selection of leaders.<sup>466</sup> Given that the widening of ASEAN regionalism to CSOs took place between 1997 and 2005 when most member states were far from being stable democracies, it would seem that democratization is not a prerequisite or cause for participatory regionalism.

*Indonesia, Malaysia, the Philippines and Thailand's Engagement with Development-Oriented CSOs*

Rather than democratization in ASEAN as a whole, it was some ASEAN member states' openness to development-oriented CSOs, and their individual processes of democratization, that account for the emergence and progress of participatory regionalism in ASEAN. These ASEAN member states are Indonesia, Malaysia, the Philippines and Thailand, which saw a rapid growth of CSOs and increasing CSO activism.<sup>467</sup> The growth of CSOs in Indonesia was stimulated by the perceived inability of political parties and students'

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<sup>463</sup> See Giok Ling Ooi, “State-Society Relations, the City and Civic Space,” in *Globalization, the City and Civil Society in Pacific Asia: The Social Production of Civic Spaces*, edited by Mike Douglas, K.C. Ho and Giok Ling Ooi (London: Routledge, 2008), 73; Garry Rodan, “The Prospects for Civil Society in Southeast Asia,” *East Asia Policy Papers* 18 (Ontario, Canada: University of Toronto, 1997): 7, 19, 18.

<sup>464</sup> Garry Rodan, “State-Civil Society Relations and Political Oppositions in Industrialising Singapore,” in *Political Oppositions in Industrialising Asia*, edited by Garry Rodan (London: Routledge, 1996).

<sup>465</sup> See Duncan McCargo, “Thailand,” in *Regional Outlook Southeast Asia 2010-2011* (Singapore: Institute of Southeast Asian Studies, 2010), 54-58.

<sup>466</sup> David Koh, “Vietnam,” in *Regional Outlook Southeast Asia 2010-2011* (Singapore: Institute of Southeast of Southeast Asian Studies, 2010), 61.

<sup>467</sup> See Tadashi Yamamoto, ed., *Emerging Civil Society in the Asia Pacific Community* (Singapore and Japan: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1995).

organizations to articulate and to represent the interests of the common people from the late 1960s onwards. As a result, development-oriented CSOs emerged, and constitute the foundation of the modern CSO sector. These CSOs sought to bridge the gap between the needs of the disadvantaged people in Indonesian society and the goals of the national development program. They attempted to respond to the problems articulated by the grassroots level of society, and to facilitate development through new ways that had not been pursued by the government or businesses, namely, the promotion of community-based self-sufficiency. During this period, CSOs became increasingly aware of the need for more direct people's participation in development. They found that the promotion of community-based development could have more direct impact on the poor, than government's policies.<sup>468</sup> The 1970s saw the emergence of more development-oriented CSOs, which addressed issues such as public health and small-scale industrial development. This new generation of CSOs emphasized project innovation and were able to influence national development programs. For example, the CSO Yayasan Indonesia Sejahtera initiated a concept, which later produced the community-based health care program that was adopted by the government. Over the years, CSOs have grown larger in membership and have also become more credible as innovators of development approaches.

It has been argued that the major achievement of CSOs at the national level has been the increasing awareness of issues that are of concern to the grassroots level of society, such as the environment, and the inclusion of these issues on the national political agenda.<sup>469</sup> Over time, Indonesia's national political agenda has seen a widening and deepening of issues raised by CSOs, since the number of CSOs has increased and a bigger portion of the

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<sup>468</sup> For examples of CSOs, see Andra L. Corrothers and Estie W. Suryatna, "Review of the NGO Sector in Indonesia and Evolution of the Asia Pacific Regional Community Concept among Indonesian NGOs," in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto (Singapore and Japan: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1995), 122-123.

<sup>469</sup> *Ibid.*, 125.



government bureaucracy has been exposed to their proposals. Nevertheless, it has been noted by observers that state-CSO relations alternate between cooperation and conflict. Some CSOs have been co-opted into government programs, some are in conflict with government programs, and some are co-opted into some government programs and in conflict with others.<sup>470</sup> The relationship between the Indonesian government and CSOs is complex. Some government officials fear that effective CSO programs may undermine the government's influence on local communities. They prefer to control CSOs by co-opting them into national development programs, and thereby portraying an image of public support for such programs. In any case, the Indonesian government has been open to cooperation with CSOs at the national level, which provided a strong foundation for promoting openness to CSOs at the regional and international level.

In Malaysia, the state-CSO relationship is characterized by active collaboration in areas of social development, and by tension in areas of political reform: these characteristics were arguably extended to the regional level in ASEAN-CSO relations. The Malaysian government tends to accept input from CSOs and to facilitate CSO projects in the areas of youth development and social welfare. The Federation of Malaysian Consumers Association (FOMCA), for example, acts as an advisor on various committees in the Ministry of Trade and Industry, the Ministry of Health, and the Ministry of Finance.<sup>471</sup> FOMCA's main area of concern is consumerism, although it also works in other areas, such as community development. The Malaysian government is willing to cooperate with CSOs like FOMCA, which do not advocate political reform, but is less inclined to cooperate with those that do. CSOs which advocate political reform call for accountability to public interests, transparency

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<sup>470</sup> Ibid., 126.

<sup>471</sup> Lim Teck Ghee, "Nongovernmental Organizations in Malaysia and Regional Networking," in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto (Singapore and Japan: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1995), 170-171. FOMCA was established in 1973 and is a federal body consisting of members of all state consumers associations, except the Consumer Association of Penang.

and a people-oriented political system.<sup>472</sup> In any case, the Malaysian government has at the very least provided some space for CSOs, even if it is only those working on development. After 1990, the government invited welfare and development-oriented CSOs, such as the National Council of Women's Organizations and Friends of the Earth Malaysia to participate in the National Economic Consultation Council to decide on National Economic Policy.<sup>473</sup> This willingness to engage with development-oriented CSOs at the national level arguably provided a supportive backdrop to the government's decision to initiate an ASEAN Civil Society Conference in 2005.

In the Philippines, the government was similarly willing to engage with CSOs to facilitate social and economic development. Under President Aquino, the 1987 Constitution encouraged the role of CSOs in community development. Moreover, the 1987-1992 Medium-Term Development Plan also recognized CSOs as partners in the national development effort.<sup>474</sup> Under Aquino's presidency, CSOs increased in number and contributed to the process of nation-building through developmental work. Subsequently, the participation of CSOs in all levels of decision-making was institutionalized in the Local Government Code of 1991. Under the Code, CSOs participate in the decision-making of local development councils. They are allocated a quota of seats in local branches of government and are also given sectoral representation in the local legislative bodies.<sup>475</sup> Furthermore, the Aquino administration also encouraged CSOs to be in touch with government agencies and to participate in the implementation of government projects. Thus, the Philippines was open to CSOs' political participation at the domestic level, and would similarly become open to their participation at the regional level.

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<sup>472</sup> See *ibid.*, 167.

<sup>473</sup> *Ibid.*, 168.

<sup>474</sup> See Segundo E. Romero, Jr., and Rostum J. Bautista, "Philippine NGOs in the Asia Pacific Context," in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto (Singapore and Japan: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1995), 188.

<sup>475</sup> See *ibid.*

President Ramos, Aquino's successor, continued to support the growth of CSOs. Ramos even appointed prominent figures of the CSO community to his cabinet, such as Juan Flavio as Secretary of Health, Ernesto Garilao as Secretary of Agrarian Reform, and Angel Alcala as Secretary of Environment and Natural Resources. Under the Ramos administration, a larger number of CSOs were involved in national social and economic development. In 1995, the database of the Department of Interior and Local Government (DILG) showed that a total of 14,398 CSOs were accredited to the local development councils, local school boards, local health boards, as well as peace and order councils.<sup>476</sup> Several national summits were held with the aim to strengthen state-CSO collaboration. For example, one of the most important summits was the Government Organization-Non-Government Organization Conference on Partnership for Local Development in October 1993. Through this conference, the Ramos government sought to encourage the participation of CSOs in local governance and to encourage joint projects between government agencies and CSOs. The Ramos government's support for CSOs has left a legacy to the present. Many national government agencies, such as the Department of Agrarian Reform, the Department of Health, and the Department of Agriculture, now have close cooperative relationships with CSOs. They consult CSOs on policy-making and cooperate with CSOs on joint projects.<sup>477</sup> Many consultation mechanisms between the government and CSOs have become institutionalized, for example, the Sta Catalina Forum on decentralization and people empowerment. Moreover, support for "people-centred development" has been articulated and supported at the international level, for example, in the "Manila Declaration on a Social Development Strategy for the ESCAP Region Towards the Year 2000 and Beyond," which was issued in 1991. Thus, the Philippines government supported the involvement of CSOs in development at the national and international level, and would later support participatory regionalism in

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<sup>476</sup> See *ibid.*, 189.

<sup>477</sup> See *ibid.*, 197.

ASEAN. For example, in October 2009, Philippine President Gloria Macapagal Arroyo stated that the Philippines supports engagement with CSOs to advance democratic processes, and looks forward to cooperating with CSOs in new bodies, such as the ASEAN Intergovernmental Commission on Human Rights (AICHR).<sup>478</sup>

Similar to the aforementioned ASEAN member states, Thailand also encouraged a developmental role for CSOs at the national level. In the 1990s, Thailand saw the emergence of dialogue and cooperation between government organizations and CSOs, as well as the establishment of a Joint Coordination Committee between the two actors. The Thai government promoted the role of CSOs in rural development, partly to cut back on the government's budget, and partly due to the government's recognition of CSOs' expertise.<sup>479</sup> For example, the government's Department of Technical and Economic Cooperation (later renamed the Thailand International Cooperation for Development Agency) and the National Education Commission consider annual proposals for development, which are provided by CSOs. More significantly, CSOs were consulted and allowed to participate in the drafting of the 1997 constitution. As a result, they were able to raise awareness on social problems and to express their ideas on how these problems should be solved. Moreover, the 1997 constitution heralded a phase of political reform, which produced new CSOs that were able to monitor the reform process, for example, the Protection of Civil Rights and Freedom Group.<sup>480</sup> Thailand's openness to CSOs at the national level would later be extended to the regional level, especially under Thailand's ASEAN Chairmanship in 2009.

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<sup>478</sup> Ministry of Foreign Affairs, Thailand, "ASEAN Leaders Meeting with Civil Society at the 15<sup>th</sup> ASEAN Summit," October 2009, obtained by author from the Department of ASEAN Affairs, Ministry of Foreign Affairs, Thailand.

<sup>479</sup> See Amara Pongsapich, "Nongovernmental Organizations in Thailand," in *Emerging Civil Society in the Asia Pacific Community*, edited by Tadashi Yamamoto (Singapore and Japan: Institute of Southeast Asian Studies and Japan Center for International Exchange, 1995), 248-249, 257.

<sup>480</sup> See Chantana Banpasirichote, "Civil Society and Good Governance: A New Chapter in Thailand's Political Reform?" in *Democracy and Civil Society in Asia: Volume I*, edited by Fahimul Quadir and Jayant Lele (New York: Palgrave Macmillan, 2004), 219.

## *Indonesia's Democratization in the post-Cold War Period*

In the post-Cold War period, pro-democratic CSOs grew significantly in Indonesia, as well as Malaysia, the Philippines and Thailand.<sup>481</sup> Jörn Dosch argues that this growth was partly due to democratization, which produced new institutional frameworks for agenda-setting and policy-making that were open to CSOs. Democratization and the openness to CSOs at the national level was extended to the regional level, especially in the case of Indonesia. According to Termsak Chalermpanupap (Director of the Political and Security Directorate, ASEAN Secretariat), the inclusion of democratic values in the ASEAN Political-Security Community (APSC) was predominantly inspired by the democratization of Indonesia since the end of the Suharto era in 1998.<sup>482</sup> During the process of democratization, foreign policy-making became much more democratic and pluralistic, with the Indonesian House of Representatives having an increasing influence over policy-making.<sup>483</sup> Democratization in Indonesia inspired Indonesia's support for democratization within other ASEAN member states. This is evident in the Indonesian delegation's proposal for an ASEAN Security Community (later renamed the ASEAN Political-Security Community) at the ASEAN Senior Officials Meeting in June 2003. According to the proposal, the ASEAN Security Community's (ASC) tasks would include "political development," which essentially meant encouraging the democratization of Southeast Asia. In the non-paper "Towards an ASEAN Security Community," the Indonesian Foreign Ministry defined political development as the imperative of ASEAN member states: (a) to promote people's participation; (b) to implement good governance; (c) to strengthen judicial institutions and legal reforms; and (d) to promote human rights and obligations through the establishment of

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<sup>481</sup> See Jörn Dosch, "Sovereignty Rules: Human Security, Civil Society, and the Limits of Liberal Reform," in *Hard Choices: Security, Democracy and Regionalism in Southeast Asia* (Stanford and Singapore: The Walter H. Shorenstein Asia-Pacific Research Center and Institute of Southeast Asian Studies, 2008), 61.

<sup>482</sup> Chalermpanupap, "Institutional Reform," 111.

<sup>483</sup> See Jürgen Rüländ, "Deepening ASEAN cooperation through democratization? The Indonesian legislature and foreign policymaking," *International Relations of the Asia-Pacific* 9 (2009): 373-402.

the ASEAN Commission on Human Rights.”<sup>484</sup> Many ASEAN member states opposed Indonesia’s detailed democracy agenda. However, given Indonesia’s central position and prominent role in ASEAN regionalism, as the largest founding member and one of the most developed economies, the option of dismissing the ASC idea was not considered by other ASEAN member states. Instead, the ASC Plan of Action was watered-down and only included a short statement on the promotion of political development to achieve democracy.<sup>485</sup>

Indonesia strongly argued that regional security could not be maintained unless ASEAN member states paid more attention to political development. While noting that political development was traditionally considered an internal affair, Indonesia pointed out that there was room for cooperation through regional encouragement for political development inside ASEAN member states. For Indonesia, this regional effort was necessary to revitalize ASEAN for the new challenges of the twenty-first century.<sup>486</sup> Indonesia intentionally used the term “political development” over “democracy,” as the former was more open to interpretation and less controversial. However, Indonesia did interpret “political development” as democratization, which included the promotion of people’s political participation. Indonesia’s support for democratic values as part of the ASEAN Community can thus be seen as a projection of its own democratization since the end of President Suharto’s era in 1998.

Dian Triansysh Djani (Director General for ASEAN Affairs at the Indonesian Foreign Ministry) stated in June 2007 that Indonesia would always be at the forefront of efforts to

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<sup>484</sup> Quoted in Rizal Sukma, “Democracy Building in South East Asia: The ASEAN Security Community and Options for the European Union,” International Institute for Democracy and Electoral Assistance, Sweden, 2009, [http://www.idea.int/resources/analysis/upload/Sukma\\_paper14.pdf](http://www.idea.int/resources/analysis/upload/Sukma_paper14.pdf) [accessed on 20/07/11].

<sup>485</sup> ASEAN Secretariat, “ASEAN Security Community Plan of Action,” <http://www.asean.org/16826.htm> [accessed on 20/07/11].

<sup>486</sup> See Sukma, “Political Development: A Democracy Agenda for ASEAN?” 137.

ensure that democratic values and human rights are included in the ASEAN Charter.<sup>487</sup> In addition to the Indonesian government, the Centre for International and Strategic Studies (CSIS), Jakarta, and the Institute for Strategic and Development Studies (ISDS), Manila, also pushed hard for the ASEAN Charter to support democracy and human rights.<sup>488</sup> These two think tanks were able to obtain at least silent consent from the other institutes within the ASEAN-ISIS network at an ASEAN-ISIS conference on human rights. Their activism in promoting democracy and human rights reflects the progress of democratization in their respective countries. Rizal Sukma, a CSIS policy scholar, was one of the most influential advocates. He stated in 2007 that “the inclusion of human rights and democratic principles in the charter is non-negotiable. Indonesia must fight for it because we will have no basis for protecting people’s rights if the principles are not included in the charter.”<sup>489</sup> In 2008, the Indonesian House of Representatives recommended ratification of the ASEAN Charter while insisting that the government lobby for early amendments, including “greater popular involvement in ASEAN.”<sup>490</sup>

The promotion of democratization and openness to non-state actors within an ASEAN Community was regarded by the Indonesian political elite as a means of legitimizing their claim to regional leadership.<sup>491</sup> To consolidate this claim, President Yudhoyono established the intergovernmental Bali Democracy Forum, which has been taking place annually since 2008. The Forum is for leaders of Asia-Pacific countries to discuss the challenges of democratization, and to help each other through the process.<sup>492</sup> Yudhoyono’s speeches at the Forum demonstrate how a discourse on democratization is used to promote Indonesia’s role

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<sup>487</sup> Abdul Khalik, “Indonesia Holds Ground on ASEAN Charter,” *Jakarta Post*, 14 June 2007.

<sup>488</sup> Dosch, “Sovereignty Rules,” 84.

<sup>489</sup> Khalik, “Indonesia Holds Ground on ASEAN Charter.”

<sup>490</sup> See Rüländ, “Deepening ASEAN cooperation through democratization?” 385.

<sup>491</sup> *Ibid.*, 397.

<sup>492</sup> Yoon Sojung, “Lee, Yudhoyono co-lead Bali Democracy Forum,” 9 December 2010, <http://www.korea.net/news.do?mode=detail&guid=51923> [accessed on 20/07/11]; U.S. Department of State, “Remarks at the Bali Democracy Forum,” 9 December 2010, <http://www.state.gov/r/remarks/2010/152589.htm> [accessed on 20/07/11].

in the international community. For example, at the second Bali Democracy Forum in 2009, he stated:

I am optimistic that the Bali Democracy Forum will continue to grow and become the leading forum for democracy in Asia. We have an increase in the number of participating countries from 32 to 36 this year. The number of observers has also increased from 8 last year to 12 this year.<sup>493</sup>

Indonesia projects itself as a role model for democratization by mentioning its on-going efforts to promote the process at all levels, which includes strengthening CSOs. As argued, and explained by Marty Natalegawa (Indonesia's Foreign Minister) at the third Bali Democracy Forum in 2010:

The need for democratization is deeply felt by many countries, as we pursue the democratic ideal: democracy at the level of the United Nations, democracy at the regional level, and democracy within the nation... To this day Indonesia continues to nurture its young democracy... and to strengthen the roles of the mass media and civil society.<sup>494</sup>

Indonesia's process of democratization and its bureaucratic activism played a major role in pushing forward participatory regionalism in the politically diverse Southeast Asian context. Moreover, the case of Indonesia also demonstrates how the impetus for participatory regionalism is provided by democratizing ASEAN member states. Conversely, one would expect the momentum for participatory regionalism to be dulled or stopped by the less democratic or authoritarian member states. Below are some examples to test this hypothesis.

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<sup>493</sup> Bureau for Press and Media Affairs, Presidential Household, "Bali Democracy Forum to continue to grow and become the leading forum for democracy in Asia," 11 February 2010, <http://www.embassyofindonesia.it/bali-democracy-forum-to-continue-to-grow-and-become-the-leading-forum-for-democracy-in-asia> [accessed on 20/07/11].

<sup>494</sup> Ministry of Foreign Affairs, Republic of Indonesia, "Bali Democracy Forum," 7 October 2010, <http://www.deplu.go.id/Pages/InformationSheet.aspx?IDP=11&1=en> [accessed on 20/07/11].



*Democratizing ASEAN Member States and Participatory Regionalism*

The state's democratization and openness to CSOs in Thailand arguably contributed to progress in participatory regionalism under Thailand's ASEAN chairmanship in 2009. During this chairmanship, the Foreign Ministry sponsored the inauguration of an ASEAN People's Forum (APF) and delegated the task of organizing this Forum to the Institute of Security and International Studies (ISIS), at Chulalongkorn University. The Forum was intended to address ASEAN's "participation deficit," to enable CSOs to discuss their concerns over the three pillars of the ASEAN Community, and have these concerns presented as a summarizing statement to ASEAN leaders.<sup>495</sup> The ASEAN People's Forum between CSOs takes place before the ASEAN Civil Society Conference, between CSOs and state leaders. The first ASEAN Peoples' Forum and fourth ASEAN Civil Society Conference (APF1/ACSC4) took place in February 2009, and took some regimes by surprise. Cambodian Prime Minister Hun Sen was disturbed by the selection process of CSO representatives, especially those from his country, while Myanmar objected to the CSO representative, who was a Myanmar citizen in exile. To save the meeting, the ASEAN Chair, Thai Prime Minister Abhisit Vejjajiva, and his Foreign Minister Kasit Piromya, had to arrange a separate meeting with the Myanmar group led by Khin Omar, coordinator of the Burmese Partnership Network, Cambodian representatives and Pen Somony, program coordinator for the Cambodian Volunteers for Civil Society. Not only was the meeting threatened by objections from the Cambodian and Myanmar leaders, but it was also challenged by Brunei and Singapore, whose authorities have constantly questioned the legitimacy of CSO representatives and their mandate as non-state actors.<sup>496</sup> Moreover, the Laotian representative

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<sup>495</sup> Thitinan Pongsudhirak, "Statement of the ASEAN Peoples' Forum and 4<sup>th</sup> ASEAN Civil Society Conference," 14<sup>th</sup> ASEAN Summit, Hua Hin, Thailand, 28 February 2009.

<sup>496</sup> Kavi Chongkittavorn, "Split between ASEAN leaders and civil society groups," *The Nation*, 10 October 2009.

also proposed that a meeting between states and CSOs should be optional in future. Thus, participatory regionalism was restricted by the less democratic ASEAN member states.

Moreover, even if ASEAN-CSO meetings take place, some ASEAN member states can undermine participatory regionalism by using their choice of CSO representatives. For example, the names of all the nominated CSO representatives had to be submitted for approval by ASEAN senior officials before the 15<sup>th</sup> ASEAN Summit, which undermined CSOs' independence. CSOs' independence was further undermined at the ASEAN Ministerial Meeting in July 2009, when Singaporean officials stated that they would appoint their own CSO representatives. This went against the purpose of civil society speaking by itself for itself. Consequently, CSO representatives from Brunei, Thailand, Indonesia, Malaysia and Vietnam protested by not entering the meeting.<sup>497</sup> According to Debbie Stothard, coordinator of the Southeast Asia-based Alternative ASEAN network on Burma (Altsean Burma):

Some ASEAN member states said that they would only meet with civil society they recognize or “good civil society” that supports the ruling party, which tend to be those that are oriented toward charity work and not toward human rights issues. Cambodia and Laos are two governments which said that they would only meet with civil society that has been approved by them.<sup>498</sup>

A year later, under Vietnam's chairmanship of ASEAN in 2010, there was no progress at all on participatory regionalism. As noted by CSOs at a press conference in October 2010, Vietnam restricted participatory regionalism by preventing some civil society groups from attending the sixth ASEAN People's Forum (APF VI). Jenina Chavez, Philippines program coordinator for the CSO Focus on the Global South, observed that

it was so different from what happened in Thailand in 2009 where the process was open and participatory. Some officials of the ASEAN Secretariat even graced the civil society

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<sup>497</sup> See Achara Ashayagachat, “A Difficult Birth for ASEAN Human Rights,” *Bangkok Post*, 25 October 2009.

<sup>498</sup> Debbie Stothard, interview by author, phone interview and note taking, 2 August 2010.

conference. This year, there will be no (meeting) with civil society in the ASEAN Summit in Hanoi. Vietnam tried very hard and was very concerned to be a good host but it failed.<sup>499</sup>

Thus, a less democratic ASEAN Chair can restrict participatory regionalism by only allowing the participation of pro-state CSOs or cancelling ASEAN-CSO meetings altogether. This confirms that participatory regionalism is dependent on the initiatives of democratizing ASEAN member states, as well as their ability to persuade other member states to accept their agenda and proposed processes.

### **III. The ASEAN Charter and Participatory Regionalism**

The previous section focused on the supply side of participatory regionalism through ASEAN-CSO meetings; this section will focus on the demand side, based on what CSOs' want out of participatory regionalism and the extent to which they have achieved their aims. Community building in theory and practice implies regionalism that is not only determined by state actors, but also deliberated by civil society, if not society at large. For international relations (IR) theorists, community building requires the emergence of a "responsive regional civil society," or CSOs within the region which have developed a regional mind-set through discussions on shared concerns, leading to joint positions and joint policy proposals.<sup>500</sup> Moreover, community building is indicated by the emergence of participatory regionalism. This involves the creation of institutions that enable citizens to participate, the availability of information on the political process for the population, and the existence of public debate.<sup>501</sup> This section will test the significance of participatory regionalism in ASEAN by analysing the impact of CSOs during the drafting process for an ASEAN Charter.

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<sup>499</sup> SAPA Working Group on ASEAN, "ASEAN backslides in its commitment to be more people-oriented," Press Release, 28 October 2010, <http://www.alternative-regionalisms.org> [accessed on 05/11/10].

<sup>500</sup> Walter Mattli, *The Logic of Regional Integration: Europe and Beyond* (Cambridge: Cambridge University Press, 1999).

<sup>501</sup> Dahl, *On Democracy*, 31.

CSOs aimed to use their meetings with ASEAN leaders at the ASEAN Civil Society Conference (ACSC), to create a space for themselves within the ASEAN community building process. They wanted to identify shared concerns among CSOs in Southeast Asia, and to discuss these concerns and the realization of an ASEAN Community with ASEAN leaders.<sup>502</sup> CSOs' concerns are mainly centred around democratization and human rights, and principles in the ASEAN Community documents and the ASEAN Charter. They can be summarized as follows: transparency, ASEAN-CSO collaboration, democratization, human rights, socio-economic justice, and an ASEAN identity that reflects the region's diversity.<sup>503</sup> In accordance with the aim of the ASEAN Charter "to promote a people-oriented ASEAN," ASEAN leaders listened to CSOs' concerns and demands.<sup>504</sup> However, given that state-CSO meetings had not been institutionalized and that there were no formalized procedures, ASEAN leaders were not obliged to respond to CSOs, or to make a commitment to consider their demands, let alone act upon them. As such, the ACSC was a very one-sided meeting. Nevertheless, ASEAN leaders were reminded of the growing dissatisfaction among academia and CSOs with regard to the exclusive, elite nature of ASEAN. Moreover, the ACSC also set a precedent for CSOs' presentation of views on major ASEAN developments, and included CSOs, albeit marginally, in the drafting process for an ASEAN Charter.

The drafting process for an ASEAN Charter motivated CSOs to come together, so that they could brainstorm their contribution and strengthen future CSO meetings with ASEAN. After the first meeting between CSOs and ASEAN leaders at the ASEAN Civil Society Conference (ACSC) in December 2005, five regional and international CSOs, including

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<sup>502</sup> Isagani R. Serrano (Vice-President of the Philippine Rural Reconstruction Movement, and participant at the ACSC), "Report on the ASEAN Civil Society Conference on Building a Common Future Together," Universiti Teknologi MARA, Malaysia, 7-9 December 2005, <http://www.prrm.org/wp-content/uploads/2009/11/05aseanreport.pdf> [accessed on 31/01/11].

<sup>503</sup> See Rene Ofreneo, "Neo-Liberalism and the Working People of Southeast Asia," in *Revisiting Southeast Asia* (Bangkok, Thailand: Focus on the Global South, 2006), 19-20.

<sup>504</sup> See ASEAN Secretariat, "Charter of the Association of Southeast Asian Nations," <http://www.aseansec.org/21069.pdf> [accessed on 22/07/11].

Forum Asia, the Southeast Asian Committee for Advocacy (SEACA), the Third World Network (TWN), and the Asian Partnership for the Development of Human Resources in Rural Asia (AsiaDHRRA), met in February 2006, for a meeting on Strategic Action Planning for Advocacy. These CSOs decided that there was a need for a new mechanism for the sharing of information and resources, and for CSOs' engagement with ASEAN. This new mechanism was to replace the ASEAN People's Assembly (APA), which was facilitated and overseen by ASEAN-ISIS, and thus not wholly made of CSOs. As a result, a new regional network exclusively for CSOs was established: the Solidarity for Asian People's Advocacy (SAPA).<sup>505</sup> Subsequently, a SAPA Working Group on ASEAN (SAPA WG on ASEAN) was created, to brainstorm and submit proposals to the Eminent Persons Group (EPG) on the ASEAN Charter. SAPA's meetings with the EPG and submissions on the ASEAN Charter were made in April, June and November 2006. SAPA's proposals on the ASEAN Charter were significant for their instrumental and discursive value.<sup>506</sup> The proposals were instrumental in terms of articulating concrete demands to governments to produce material change. These demands were summarized by Jenina Chavez, from SAPA, as follows:

mechanisms to ensure the equitable distribution of, and protection from the negative impacts of, integration; positive assistance from the bigger and stronger to the smaller and weaker members; the establishment of a regional instrument on migration; the establishment of a regional human rights mechanism; the protection of the regional environment; increasing the capacity of members to protect their citizens from regionally pervasive communicable or infectious diseases.<sup>507</sup>

SAPA's proposals also had a discursive value in terms of promoting discourse on democracy and human security. For example, at their first meeting with the Eminent Persons Group

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<sup>505</sup> SAPA receives funding from various donors, depending on the project, for example, Oxfam, the Southeast Asian Regional Center for Graduate Study and Research in Agriculture (SEARCA), and the German Catholic Bishops' Organisation for Development Cooperation (MISEREOR). Anni Mitin (Executive Director for the Southeast Asian Council for Food Security and Fair Trade), Interview by author via Skype, 24 July 2011.

<sup>506</sup> The terms instrumental and discursive value are derived from Catherine Eschle and Neil Stammers, "Taking Part: Social Movements, INGOs, and Global Change," *Alternatives* 29 (2004): 345.

<sup>507</sup> Jenina Joy Chavez, "Building Community: The Search for Alternative Regionalism in Southeast Asia," in *Revisiting Southeast Asia* (Bangkok, Thailand: Focus on the Global South, 2006), 8.

(EPG) on the ASEAN Charter, SAPA reiterated their calls for democratic, inclusive and transparent processes of consultation between ASEAN and CSOs in the realization of the Charter. In terms of human security, SAPA's report to the EPG argued that the protection of human security should over-ride ASEAN's principle of non-interference, and that this principle should be revised accordingly in the ASEAN Security Community (ASC) Plan of Action.

To promote the norms of democratization and human security, SAPA made some radical demands, such as the demand for CSOs' access to decision-making at all levels and full participation in all areas. Chanida Bamford, Director of the CSO Focus on the Global South, in Thailand, justified these demands as follows:

In terms of people's participation in ASEAN, SAPA thinks it is best not to provide any recommendations because we don't want it to be too rigid. People's participation has to be justified in all areas. We're worried that if we put forward recommendations in one area for civil society participation, then we'll be restricting ourselves more than if we just leave it open.<sup>508</sup>

Southeast Asian scholars note the following constraints in including people's participation in all areas. First, ASEAN member states may not be able to bear the additional cost of state-CSO consultations on all regional affairs. Second, such consultations may actually slow down ASEAN integration and community building. Third, the provision for people-centred regionalism could potentially break up the unity of ASEAN. For example, ASEAN's growing inclination toward more active engagement with civil society under Thailand's chairmanship in 2009, caused the Myanmar military junta to reconsider its position in ASEAN, and to look to other regional organizations, such as the South Asian Association for Regional Cooperation (SAARC).<sup>509</sup> ASEAN officials were very much aware of these constraints and tried to lower the expectations of CSOs during the few ASEAN-CSO meetings on the

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<sup>508</sup> Bamford, Interview.

<sup>509</sup> Chandra, "Civil Society in Search of an Alternative Regionalism in ASEAN."

ASEAN Charter.<sup>510</sup> The limited public consultation on the ASEAN Charter confirmed CSOs' expectation of a state-centred, rather than people-centred Charter. As argued by Anil Netto, a civil society actor:

The EPG says it has met civil society groups but many have not heard about the Charter... Critics suspect the lack of public consultation over the Charter could be due to the real intention behind the blueprint. They see the Charter as giving a legal personality to ASEAN, paving the way for a regional economic framework that would facilitate investment and trade in the region, while the interests of ordinary people – workers, the poor and the marginalized – could come a distant second.<sup>511</sup>

Thus, CSOs did not see the drafting process for the ASEAN Charter as a process that advanced participatory regionalism, nor did they expect the Charter to effectively address the concerns of the grassroots of society.

CSOs sought to be recognized by ASEAN as a new regional actor and worked on capacity building activities, such as research. At the third ASEAN Civil Society Conference (ACSC) in November 2007, CSOs expressed their aim to further strengthen regional civil society through research on regional affairs.<sup>512</sup> At the time, CSO research projects included “Research on Political Space for Advocacy in South East Asia Region” and “Research on Regional Responses to Transboundary Issues.”<sup>513</sup> Both projects demonstrate that CSOs were becoming increasingly proactive in their engagement with ASEAN and expanding the scope of such engagement. Moreover, the third ACSC also saw CSOs' more specified short-term

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<sup>510</sup> Kavi Chongkittavorn, “ASEAN drafters meet civil society groups,” 29 March 2007, [http://www.nationmultimedia.com/2007/03/29/opinion/opinion\\_30030499.php](http://www.nationmultimedia.com/2007/03/29/opinion/opinion_30030499.php) [accessed on 01/02/11].

<sup>511</sup> Quoted in Dosch, “Sovereignty Rules,” 77-78.

<sup>512</sup> South East Asian Committee for Advocacy (SEACA), “ACSC-3: Moving Forward, Building an ASEAN People's Agenda,” 20 November 2007, <http://www.seaca.net> [accessed on 11/10/10].

<sup>513</sup> South East Asian Committee for Advocacy (SEACA), “Research on Regional Responses to Transboundary Issues,” 11 August 2006, <http://www.seaca.net> [accessed on 11/11/10]; South East Asian Committee for Advocacy (SEACA), “Research on Political Space for Advocacy in South East Asian Region,” 11 August 2006, <http://www.seaca.net> [accessed on 11/11/10]. With regard to CSOs conducting research, one acknowledges that there is the Asian Regional Exchange for New Alternatives (ARENA), which is an NGO that works on regional cooperation in research. However, this NGO, as the name suggests, has an Asian focus, whereas SEACA has a Southeast Asian focus. Other regional networks which conduct research, for example, the AsiaDHRRA, will be explored in chapter seven.

demands in the finalization of an ASEAN Charter. First, that ASEAN leaders “ensure transparency through the disclosure of the draft ASEAN Charter for meaningful public consultations and discussions, and guarantee substantive people participation at the national and regional levels in the adoption of the ASEAN Charter.”<sup>514</sup> Second, that ASEAN leaders organize a “democratic referendum process at the national level to allow peoples in each country to give direct mandate to the ASEAN Charter.”<sup>515</sup> The latter demand was unrealistic, but its purpose was to highlight the fact that most people did not know about the ASEAN Charter and that some CSOs which did, such as those from Myanmar, were not being recognized or consulted by their governments.<sup>516</sup> In any case, neither of CSOs’ demands were met since it was hard enough already to reach agreement between state representatives from the ten ASEAN member states, let alone the ASEAN peoples, on the contents of the ASEAN Charter.<sup>517</sup> Given that a draft ASEAN Charter was not circulated for CSOs and the ASEAN population at large to consider, one could argue that ASEAN leaders restricted participatory regionalism in the final stages of drafting the Charter. This is based on the absence of three indicators for participatory regionalism: citizen participation, the availability of information, and public debate. Since participatory regionalism was either limited, or restricted throughout the drafting process for an ASEAN Charter, many CSOs, such as the South East Asian Committee for Advocacy (SEACA), criticized the three ASEAN-CSO meetings as simply being a public relations exercise.<sup>518</sup>

While provisions were made for CSOs’ participation in the drafting process for an ASEAN Charter, the extent of their participation, and whether or not their recommendations would be included, was ultimately determined by ASEAN leaders. As argued by Ambassador

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<sup>514</sup> SEACA, “ACSC-3.”

<sup>515</sup> Ibid.

<sup>516</sup> Bamford, Interview.

<sup>517</sup> See Tommy Koh, Rosario G. Manalo, and Walter Moon, eds., *The Making of the ASEAN Charter* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2009).

<sup>518</sup> South East Asian Committee for Advocacy (SEACA), “No Bloody Hands on an ASEAN Charter,” 14 February 2008, <http://www.seaca.net> [accessed on 11/10/10].



Barry Desker, former Singaporean diplomat and the current Dean of the S. Rajaratnam School of International Studies, Nanyang Technological University:

The language of the documents (on the ASEAN Community) talk about people-centeredness and all that, but if you look at the way in which those agreements arose, the negotiating process of which they were the outcome, you will find that it was a very bureaucratic and diplomat dominated process... The steps which were taken in actually drafting the Charter proper ensured that it was designed as a bureaucrat-led process.<sup>519</sup>

The ASEAN Charter was not intended for circulation before being signed by the ASEAN leaders. However, the final draft of the Charter was leaked by the Thai independent media, Prachathai, and the Philippine Centre for Investigative Journalism, which posted it on their websites. As a result, CSOs were able to see the exclusion of their submitted recommendations, such as a clause on migrant workers' rights, earlier than expected. They found that the final Charter did not heed their calls for mechanisms that would ensure people participation and transparency, nor did it provide an official recognition of interactions between state and non-state actors.<sup>520</sup> The ASEAN Charter maintains ASEAN's top-down intergovernmental nature, namely, state-centred mechanisms in ASEAN's policy-making process: the ASEAN Summit (the Heads of State of Government), the ASEAN Coordinating Council, the ASEAN Community Councils and ASEAN Sectoral Ministerial Bodies: all of which comprise ASEAN officials. Most importantly, the ASEAN Charter seems to have closed off any path towards a role for CSOs in decision-making by not making provisions for ASEAN's dialogue and consultations with CSOs, or action plans and discussions on this topic for future policy. Thus, the ASEAN Charter did not oblige ASEAN member states to promote participatory regionalism, nor did it stimulate progress from the limited practice of closed participatory regionalism towards the CSOs' preferred open participatory regionalism.

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<sup>519</sup> Barry Desker, interview by author, note taking and tape recording. S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 14 June 2010.

<sup>520</sup> Jenina Joy Chavez, "New ASEAN Charter Lacks Vision," 20 November 2007, <http://www.seaca.net> [accessed on 11/10/10].

Given that the drafting process for an ASEAN Charter allowed minimal participatory regionalism, the South East Asian Committee for Advocacy (SEACA) sought to promote open participatory regionalism, where any CSO and individual can participate. In this endeavour, SEACA initiated a process for drawing up an alternative ASEAN People's Charter at the second ASEAN Civil Society Conference (ACSC) in December 2006. SEACA is a CSO which focuses on advocacy capacity building for CSOs in South East Asia. It was established in 1999 and is sponsored by the Catholic Institute for International Relations (CIIR), and supported by the Department for International Development (DFI) of the United Kingdom.<sup>521</sup> SEACA encouraged CSOs to organize brainstorming sessions on the ASEAN Community in Cambodia, Indonesia, Malaysia, the Philippines, Singapore and Thailand, in May 2008.<sup>522</sup> Subsequently, the regional network of CSOs, Solidarity for Asian People's Advocacy (SAPA), further promoted public participation in ASEAN regionalism by establishing an ASEAN People's Center (APC), as a CSO equivalent to the states' ASEAN Secretariat, in January 2009. The ASEAN People's Center seeks to facilitate the exchange of information between SAPA and ASEAN, and to encourage dialogue and cooperation between them.<sup>523</sup> The ASEAN People's Centre followed SAPA's agenda. It initially focused on CSOs' drafting of the terms of reference for an ASEAN Human Rights Body, the three ASEAN Community blueprints, implementation of the Declaration on the Promotion and Protection on the Rights of Migrant Workers and the drafting of multilateral instruments on the rights of migrant workers. Thus, the ASEAN People's Centre promoted open participatory regionalism by providing space for CSOs to draft ASEAN documents.

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<sup>521</sup> South East Asian Committee for Advocacy (SEACA), "About Us," <http://www.seaca.net/viewSection.php?sID=2> [accessed on 24/07/11].

<sup>522</sup> For details about the dates, organizers and participants at these country processes, see Katrina A. Lopa, "The ASEAN Peoples' Charter and the Three Pillars of ASEAN Cooperation," 2009, <http://www.scribd.com/doc/13064182/For-ACSC4The-ASEAN-Peoples-Charter-and-the-3-blueprints-for-Cooperation> [accessed on 15/10/10]. Katrina A. Lopa is a member of SEACA and the organizing committee for the fourth ACSC. This source is a power-point presentation she gave at the fourth ACSC.

<sup>523</sup> Asian Forum for Human Rights and Development, "ASEAN People's Centre launched in Jakarta to advance civil society advocacy," 21 January 2009, <http://www.forum-asia.org> [accessed on 15/10/10].

Outside the ASEAN People's Centre, CSOs continue to lobby ASEAN diplomats at seminars to promote open participatory regionalism. For example, they raised their concerns about the lack of access to ASEAN related information at a seminar organized by Thammasat University in Thailand, in February 2009. Wachara Yindeelarb (from the "we love our neighbours" radio station) noted that not all CSOs in Thailand were aware that proposals could be made to the Eminent Persons Group on the ASEAN Charter. Moreover, he also pointed out that not all CSOs had access to online information about ASEAN, and suggested that this information also be disseminated through other media, such as TV, national radio, and local radio, otherwise it would only be CSOs with an office and CSOs in Bangkok which know about ASEAN.<sup>524</sup> This lack of accessibility to information on ASEAN is a problem throughout the whole region, both in terms of substance and language, and was reiterated by CSO representatives in their open letter to ASEAN leaders in October 2009. The letter called on ASEAN

to create in consultation with people's organizations, mechanisms to ensure meaningful participation of the people in policy making. These mechanisms must include information disclosure, translation of ASEAN documents, and people's participation in monitoring mechanisms.<sup>525</sup>

Chaovarit Salitul (a Thai diplomat) explained that there were domestic constraints in disseminating information on ASEAN, such as problems with funding.<sup>526</sup> Thus, open participatory regionalism is restricted by the lack of ASEAN awareness and domestic constraints in addressing this problem.

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<sup>524</sup> "Gan prachum radom samong krang this sam ruang prachasangkhom lae wathanatham ASEAN," [Third Brain-Storming Session on the ASEAN Socio-Cultural Community], *Prachasangkhom lae wathanatham ASEAN* [ASEAN Socio-Cultural Community], edited by Prapat Thepchatree (Thammasat University, Thailand: 2008), 15, 58.

<sup>525</sup> People's Empowerment Foundation (PEF) Thailand, "Organization Profile," obtained by author from PEF on 6 July 2010.

<sup>526</sup> "Gan prachum," 58.

CSOs have been very active in promoting progress towards open participatory regionalism. However, they have still not been able to influence political reforms, given their repeated calls for democratic processes and the apparent lack of enthusiasm on the part of ASEAN member states to further engage with them. Five years after the first ASEAN Civil Society Conference (ACSC), CSOs are still issuing the same demands, which presumably means that very little has changed. In their final statement for the ASEAN People's Forum VI in September 2010, CSOs repeated their disappointment over the fact that "ASEAN (had) not made significant progress in ensuring increased transparency and access to information and meaningful participation in ASEAN affairs."<sup>527</sup> CSOs argue that their meetings with ASEAN leaders are just a means to counter criticisms on the democratic deficit in ASEAN. They find that state-civil society interactions are more symbolic than substantial, and that they simply give the impression of consultation.<sup>528</sup> CSOs may provide feedback on policies, but governments tend to continue with their preferred policies anyway.<sup>529</sup> As lamented by Chalida Tajaroensuk, Director of the People's Empowerment Foundation (PEF) Thailand: "the ASEAN Civil Society Conference is just an annual conference. We do not see the state taking any action on our recommendations."<sup>530</sup> Moreover, two scholars from the Singapore Institute of International Affairs (SIIA) observe that ASEAN member states have not clearly shown that they are willing to accept and implement recommendations from CSOs on ASEAN community building.<sup>531</sup> Thus, there is, at best on and off closed participatory regionalism, depending on the ASEAN Chair, and no provisions for progress towards open participatory regionalism.

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<sup>527</sup> "Final Statement of the ASEAN People's Forum VI," <http://www.apfvietnam2010.org.vn> [accessed on 11/10/10].

<sup>528</sup> Bamford, Interview.

<sup>529</sup> Razali Ismail, "ASEAN and Civil Society: An Assessment," in *Towards Building an ASEAN Community*, edited by Ilango Karuppanan, Rahmat Mohamad, and Umminajah Salleh (Universiti Teknologi MARA, Malaysia: Centre for ASEAN Studies, 2004), 136.

<sup>530</sup> Chalida Tajaroensuk, interview by author, note taking. People's Empowerment Foundation (PEF) Thailand, 6 July 2010.

<sup>531</sup> Simon Tay and Lim May-Ann, "Assessment and Overview: ASEAN and Regional Involvement of Civil Society," (Singapore: Singapore Institute of International Affairs, 2009), 14.

## V. Conclusion

This chapter sought to assess ASEAN's progress towards a regional community based on the significance of participatory regionalism. Participatory regionalism is a spectrum, based on the extent of three factors: public participation, the availability of information, and public debate on regionalism. With regard to public participation, ASEAN member states have invited certain social groups, such as students and CSOs, to ASEAN themed conferences. Most significantly, ASEAN leaders have been meeting with CSOs at the ASEAN Civil Society Conference since 2005, and enabled CSOs to present proposals on the ASEAN Charter to the Eminent Persons Group (EPG), which was delegated the task of drafting ideas for such a Charter. In terms of the availability of information on ASEAN, ASEAN officials may point to hard copies in libraries and/or online documents on the ASEAN Secretariat website. As for public debate, one could argue that CSOs' meetings constitute a limited degree of public debate on ASEAN regionalism. ASEAN-ISIS does organize seminars on ASEAN regionalism, but these tend to consist of discussions between academia, diplomats, and state actors, rather than a platform for public debate. As such, state actors can claim that they facilitated two out of the three factors which indicate progress along the spectrum of participatory regionalism, as evidenced by selected public participation, and the availability of official ASEAN documents for public consumption. This degree of participatory regionalism may be sufficient for elected state actors to maintain legitimacy. However, for members of academia who envisage more progress in participatory regionalism, this stage is described as a preliminary "trust-building dialogue," which requires added momentum (i.e. more participation) from CSOs to realize an ASEAN Community.<sup>532</sup>

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<sup>532</sup> Pongsudhirak, "Statement of the ASEAN Peoples' Forum and 4<sup>th</sup> ASEAN Civil Society Conference."

For most CSOs, the current degree of participatory regionalism in ASEAN is insufficient. CSOs which participated in the drafting process for an ASEAN Charter aimed to present concrete demands to ASEAN governments, and to promote the norms of democracy and human rights. They were disappointed by the lack of results and the fact that authoritarian countries were not being penalized for their repressive political system, or that ASEAN member states with human rights abuses were not being shamed and pressured into reform. Given that many CSOs were dissatisfied with their space for participation within ASEAN, they decided to strengthen themselves, in order to increase ASEAN recognition and cooperation with ASEAN. The biggest step in making CSOs more visible to ASEAN is arguably the establishment of an ASEAN People's Centre, later renamed the Southeast Asia People's Centre, as an equivalent to the ASEAN Secretariat in coordinating regional actors and policies. Regional cooperation among CSOs is an indicator of people-centred regionalism, and demonstrates the development of a regional mind-set through proposals for regional policies. In this regard, a sense of solidarity and community building is taking place among CSOs. The question is how to consolidate the bridge between state-centred community building and CSO-centred community building.

ASEAN member states allow closed participatory regionalism, in terms of including non-state actors in certain ASEAN themed activities, and enabling CSOs to present their thoughts on ASEAN regionalism. Democratizing ASEAN member states are more willing to make provisions for progress towards open participatory regionalism, where any CSO can participate and where CSOs are consulted on regional policies. Thus, progress in participatory regionalism, and community building, may ultimately depend on democratization in Southeast Asia as a whole.

## Chapter Six: ASEAN Regionalism and Human Rights

This chapter tests ASEAN's progress towards a regional community, based on the extent to which human rights, and civil society organizations (CSOs) which work on human rights, have become part of ASEAN regionalism. According to the new regionalism approach (NRA), progress towards a regional community is indicated by two main factors: 1) the expansion of areas for regional cooperation, which go beyond the traditional state-centred security and economic cooperation towards more people-centred areas, such as the promotion of democracy and human rights; 2) the participation of non-state actors, namely CSOs, in regional affairs.<sup>533</sup> A regional human rights discourse and human rights institution would indicate that countries abide by the same values and that they identify themselves as part of a common regional entity that upholds them. Conversely, a political struggle over the regional human rights discourse and human rights implementation would indicate a fragmented, rather than a collective regional community building process. Such fragmentation, be it between states, or between states and civil society, highlights persisting obstacles to a regional community.<sup>534</sup>

Previous studies on regionalism in Europe and international relations (IR) theory provide possible explanations as to why countries would adopt, and cooperate with each other on human rights. For example, Andrew Moravcsik argues that European states accepted binding human rights treaties after the Second World War, mainly as a means of political survival; moreover, those states that were in transition towards a liberal or democratic society were most likely to ratify human rights instruments to protect their fragile regime against

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<sup>533</sup> See Björn Hettne, "Globalization and the New Regionalism: The Second Great Transformation," in Björn Hettne, ed., *Globalism and the New Regionalism*, Vol. 1 (London: Macmillan, 1999); Björn Hettne and Fredrik Söderbaum, "Theorizing the rise of regionness," in Shaun Breslin et al., eds., *New Regionalism in the Global Political Economy* (London: Routledge, 2002).

<sup>534</sup> See Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the problem of regional order* (London: Routledge, 2001).

non-democratic opponents.<sup>535</sup> In terms of IR theory, ideational theorists argue that states change their behaviour because of the cost of deviance from the norms of international society, “changing models of appropriate and legitimate statehood, and because the political pressures of other states and non-state actors affect their understanding of their identity and standing in the international community of states.”<sup>536</sup> According to this approach, the adoption of human rights norms and treaties are important, as it signals that a particular state belongs to the community of law-abiding, democratic states.

Regional cooperation in new areas, especially politically sensitive ones like human rights, is bound to be difficult. It is therefore no surprise that the emergence and consolidation of human rights, as part of ASEAN regionalism, has been characterized by resistance, and a cautious, incremental, step-by-step recognition and promotion of related norms. Progress in ASEAN regionalism and human rights can be viewed as part of a spectrum, which I have created, based on inter-state and state-CSO cooperation in this area. This spectrum is composed of three factors: states’ treatment of norms on human rights, states’ discourse and policies on human rights, and the nature of agenda-setting and policy implementation. On one end of the spectrum, states recognize and promote norms on human rights, while maintaining the exclusively state-centred nature of agenda-setting and policy implementation. In practice, this situation is characterized by state-initiated regional institutions on human rights, which do not have the mandate to receive complaints on human rights abuses or to investigate them, nor do they make provisions for CSOs’ participation. Instead, they promote human rights without advocating political reform, for example, by raising awareness, and facilitating research and training on the protection of human rights. On the other end of the spectrum on new regionalism and human rights, states create incentives for norm-compliance, or

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<sup>535</sup> Andrew Moravcsik, “The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe,” *International Organization* 54, No. 2 (2003): 217.

<sup>536</sup> Ellen Lutz and Kathryn Sikkink, “The Justice Cascade: The Evolution and Impact of Foreign Human Rights Trials in Latin America,” *Chicago Journal of International Law* 2, No. 1 (Spring 2001): 5.



disincentives for non-compliance; they promote, as well as protect human rights, and make provisions for CSO participation in agenda-setting and policy implementation. This is characterized by state-initiated regional institutions on human rights with the power to act as a regional police, who can investigate complaints from individual countries, and to monitor and enforce human rights.<sup>537</sup>

This chapter demonstrates why ASEAN community building, at the time of writing, remains at the state-centred end of the spectrum, that is, states recognize and promote norms on human rights, while maintaining the exclusively state-centred nature of agenda-setting and policy implementation. The chapter is divided into three sections. Section I traces the emergence of human rights as part of ASEAN regionalism, focusing on external and regional causes, such as the United Nations (UN) World Conference on Human Rights in 1993, and the Asian Financial Crisis in 1997, respectively. Section II outlines the role of regional actors, such as the regional network of “think tanks,” ASEAN-ISIS, in promoting an ASEAN Human Rights Mechanism. Finally, section III provides the case study on the process of realizing an ASEAN Human Rights Body and its current achievements, in order to analyse the extent to which ASEAN member states have harmonized their human rights policies, and the extent to which they enable civil society’s participation in this area. The chapter concludes that ASEAN member states have adopted human rights as part of ASEAN regionalism, in terms of institutionalizing their recognition and promotion of human rights norms. However, they still disagree on the extent to which there should be regional cooperation on human rights, and the extent to which they should cooperate with CSOs in

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<sup>537</sup> Monitoring is defined as a “soft method” in the implementation of human rights, whereby a state reports on its human rights record and opens itself to comments by others. See Simon Tay, “Human Rights: ASEAN’s Way Forward,” *Singapore Institute of International Affairs*, 18 June 2008, <http://www.siiionline.org//q=programmes/commentary/human-rights-asean%E2%80%99s-way-forward> [accessed on 28/07/11].

this area. Thus, community building remains a fragmented, state-centred process, rather than a collective process with increased participatory regionalism.

### **I. The emergence of human rights as part of ASEAN Regionalism**

Towards the end of the Cold War, the rejection of authoritarian rule and democratic transitions in Eastern Europe encouraged the West to influence democratization in other parts of the world by linking overseas development assistance (ODA) to progress in “good governance.” The term “good governance” was used by the Organization for Economic Cooperation and Development (OECD) countries at their July 1991 Summit to refer to democracy, human rights, market liberalization, and sustainable development in developing countries.<sup>538</sup> In response, developing countries resisted this linkage and conditionality, and formed their own regional discourse, an “Asian values discourse,” on human rights.<sup>539</sup> This discourse was propagated by Southeast Asia’s leaders such as Singaporean Prime Minister Lee Kuan Yew (1959-1990) and Malaysian Prime Minister Mahathir Mohamad (1981-2003), who spoke out against Western conceptions of human rights and what they saw as Western attempts to interfere in their domestic affairs.<sup>540</sup> The Asian values discourse emphasized cultural values, such as respect for authority and the primacy of community over individual rights. It was a defensive mechanism to insulate regimes against external pressure for political reforms, and one through which ASEAN member states can reiterate the ASEAN

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<sup>538</sup> Carolina G. Hernandez, “ASEAN Perspectives on Human Rights and Democracy in International Relations,” *Peace, Conflict Resolution and Human Rights Occasional Papers*, Series No. 95-96 (Quezon City: University of the Philippines, 1995), 1.

<sup>539</sup> See Jusuf Wanandi, “Human Rights and Democracy in the ASEAN Nations: The Next 25 Years,” *The Indonesian Quarterly* 21 (1993): 14-37.

<sup>540</sup> See Vitit Muntarbhorn, “Towards an ASEAN Human Rights Mechanism?” in *Towards an ASEAN Human Rights Mechanism: Proposals, Declarations and Related Documents* (Manila: Working Group for an ASEAN Human Rights Mechanism, 1999), 9-14; Michael Richardson, “East Asia Spurns West’s Cultural Model, Ascendant Asia Spurns Western Culture,” *International Herald Tribune*, 13 July 1992, <http://www.nytimes.com/1992/07/13/news/13iht-orie.html?pagewanted=1> [accessed on 29/07/11].

norms of non-interference in another country's internal affairs.<sup>541</sup> ASEAN leaders articulated the Asian values discourse in international settings, such as the UN-sponsored Asia-Pacific Regional Conference on Human Rights, and the subsequent UN World Conference on Human Rights in 1993. They argued that Western societies do not have the right to impose their human rights standards on the non-Western world and that the right to development is a fundamental human right, which is a foundation for all others.<sup>542</sup>

The Vienna Declaration and Programme of Action which resulted from the World Conference on Human Rights was arguably the strongest call by the international community for “regional and sub-regional arrangements for the promotion and protection of human rights where they do not already exist.”<sup>543</sup> The Declaration stated that human rights are universal, while noting the significance of national and regional particularities in the promotion and protection of human rights. Southeast Asian state representatives were sceptical about the implementation of the Vienna Declaration and Programme of Action. As Bilahari Kausikan (a senior Foreign Ministry official from Singapore) commented: the promotion of human rights by all countries “will always be selective, even cynical, and concern for human rights will always be balanced against other national interests...such as the territorial integrity of the state or the fundamental nature of their political systems.”<sup>544</sup> Nevertheless, shortly after the World Conference on Human Rights, ASEAN Foreign Ministers declared their collective response at the 26<sup>th</sup> ASEAN Ministerial Meeting (AMM): “in support of the Vienna Declaration and Programme of Action...ASEAN should also consider the establishment of an

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<sup>541</sup> See Kenneth Christie, “Regime Security and Human Rights in Southeast Asia,” *Political Studies* XLIII (1995): 204-218.

<sup>542</sup> See “Appendix III: Statements by Representatives of Asian Governments at the Vienna World Conference on Human Rights,” in James T.H. Tang, ed., *Human Rights and International Relations in the Asia Pacific* (London: Pinter, 1995), 213-249.

<sup>543</sup> United Nations, “Vienna Declaration and Programme of Action,” World Conference on Human Rights, Vienna, 12 July 1993, [http://www.unhchr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en) [accessed on 31/07/11].

<sup>544</sup> Bilahari Kausikan, “Asia’s Different Standard,” *Foreign Policy* 92 (Autumn 1993): 24, 26.

appropriate regional mechanism on human rights.”<sup>545</sup> Kausikan explained that two external factors persuaded ASEAN member states to re-examine their own human rights standards: 1) the emerging global culture of human rights (as shown in international law on human rights, and codified in United Nations Declarations); 2) the emphasis of human rights in the foreign policy of the major powers, the United States and many European countries, which turned human rights into an international issue.<sup>546</sup>

At the regional level, the Asian Financial Crisis and the forest fires in Indonesia in 1997 provided further stimulus to incorporate human rights into ASEAN regionalism. ASEAN leaders were criticized by both the international community and their own citizens for their ineffectiveness in handling the financial and environmental crises.<sup>547</sup> As such, they realized the urgency of reversing the negative perception of ASEAN, and reinventing ASEAN to maintain its relevance. This reinvention of ASEAN was manifested in ASEAN leaders’ ambitious joint statement on an “ASEAN Vision 2020,” which was issued in December 1997. The statement envisioned a region “where all people enjoy equitable access to opportunities for total human development”; moreover, it also promoted human security by urging ASEAN member states to move toward “being governed with the consent and greater participation of the people” and “to focus on the welfare and dignity of the human person and the good of the community.”<sup>548</sup> The concept of human security is a departure from the state-

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<sup>545</sup> ASEAN Secretariat, “Joint Communiqué of the Twenty-Sixth ASEAN Ministerial Meeting,” Singapore, 23-24 July 1993, <http://www.asean.org/2009.htm> [accessed on 31/07/11].

<sup>546</sup> Kausikan, “Asia’s Different Standard,” 24; See also Mohamad Mahathir, and Shintaro Ishihara, *The Voice of Asia: Two Leaders Discuss the Coming Century* (Tokyo: Kodansha International, 1995); Wan A. Manan, “A Nation in Distress: Human Rights, Authoritarianism, and Asian Values in Malaysia,” *SOJOURN Journal of Social Issues in Southeast Asia* 14, Vol. 2 (1999): 359-381; Thai diplomat who wishes to remain anonymous 1, interview by author, note taking and recording. Ministry of Foreign Affairs, Thailand, 1 June 2010.

<sup>547</sup> See Simon S.C. Tay and Jesus P. Estinaslao, “The Relevance of ASEAN: Crisis and Change,” in Simon S.C. Tay, Jesus P. Estanaslao, and Hadi Soesastro, eds., *Reinventing ASEAN* (Singapore: Institute of Southeast Asian Studies, 2001); Dawn Wiest, “Regionalism and Prospects for Transnational Party Formation: Northeast and Southeast Asian in Comparison,” Paper for the 48<sup>th</sup> Annual Studies Association Convention, Chicago, 28 February – 3 March 2011, [http://www.allacademic.com/meta/p\\_mla-apa\\_research\\_citation/1/7/9/5/5/pages179559/p179559-1.php](http://www.allacademic.com/meta/p_mla-apa_research_citation/1/7/9/5/5/pages179559/p179559-1.php) [accessed on 14/03/11].

<sup>548</sup> ASEAN Secretariat, “ASEAN Vision 2020,” Kuala Lumpur, 15 December 1997, <http://www.aseansec.org/1814.htm> [accessed on 28/08/10].

centred security and economic cooperation of old regionalism. It originated from the *Human Development Report* in 1994, which was produced by the United Nations Development Programme (UNDP). According to this concept, the individual, rather than the state, is the primary referent of security. Human security is broadly defined as “freedom from want” and “freedom from fear,” with threats to security expanding beyond external military threats to include domestic challenges, such as political instability, social unrest, environmental security and food security.<sup>549</sup> ASEAN member states have an incentive to promote the UN’s concept of human rights and security, not only to show themselves as legitimate members of the international community, but also because they are subject to monitoring by the UN Human Rights Committee: a body of independent experts, which monitors the implementation of the International Covenant on Civil and Political Rights by state parties.<sup>550</sup>

ASEAN member states reaffirmed their recognition and commitment to UN conventions on human rights in their “Hanoi Plan of Action” in 1998, which follows up from the “ASEAN Vision 2020.” These commitments are summarized as follows:

- Enhancing the exchange of information in the field of human rights in order to promote and protect all human rights and fundamental freedoms of all peoples in accordance with the United Nations (UN) Charter, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action of the World Conference on Human Rights;
- Working towards the full implementation of the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and other international instruments on women and children.<sup>551</sup>

Political scientists argue that ASEAN member states participate in human rights treaties to satisfy their domestic constituencies.<sup>552</sup> By demonstrating their commitment to the

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<sup>549</sup> For literature on the expanded scope of security, or non-traditional security, see Barry Buzan, *People, States and Fear: An Agenda for International Security Studies*, 2<sup>nd</sup> ed. (London: Harvester Wheatsheaf, 1991); Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder: Lynne Rienner, 1998).

<sup>550</sup> See Office of the United Nations High Commissioner for Human Rights, “Human Rights Committee,” <http://www2.ohchr.org/english/bodies/hrc> [accessed on 04/08/11].

<sup>551</sup> Vitit Muntarbhorn, “A Roadmap for an ASEAN Human Rights Mechanism,” 29 May 2003, <http://www.fnf.org.ph/liberallibrary/roadmap-for-asean-human-rights.htm> [accessed on 16/08/10].

international rule of law, an ASEAN member state “signals to the citizenry that its government is not out of step with international mores (insofar as they are reflected by human rights) or that it is in fact “liberalizing” and answering the call to accountability.”<sup>553</sup> However, ASEAN member states can avoid full implementation of international human rights instruments by making reservations, which is defined as a unilateral statement, purporting to exclude or modify the legal effect of provision(s) of a treaty in its/their application to the reserving state.<sup>554</sup> For example, the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) are two of the most heavily reserved human rights treaties among ASEAN member states.<sup>555</sup> Malaysia ratified CEDAW with reservations, such as the right, according to Sharia law, whereby some posts in the Shariah court cannot be held by women. Singapore’s reservations required the respect for cultural peculiarities, such as the right for Muslims to marry up to four wives.<sup>556</sup> Thus, there is the precedent within ASEAN of recognizing and promoting international human rights norms, while making reservations, or selective implementation. This practice of international human rights promotion and selective implementation would similarly be applied to ASEAN’s regional human rights mechanism; that is, the mechanism primarily recognizes and promotes human rights, but its implementation is negotiated, this time with civil society organizations, rather than international organizations and Western states.

The practice of promoting human rights norms while maintaining the status quo continued into the drafting process for an ASEAN Charter. However, it has been argued that the finalization of an ASEAN Charter in 2008 ushered in a “norms cascade” with regard to

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<sup>552</sup> See Li-ann Thio, “Implementing Human Rights in ASEAN Countries: “Promises to keep and miles to go before I sleep,”” *Yale Human Rights & Development Law Journal* 2 (1999): 1-86.

<sup>553</sup> *Ibid.*,” 28.

<sup>554</sup> Suzannah Linton, “ASEAN States, Their Reservations to Human Rights Treaties and the Proposed ASEAN Commission on Women and Children,” *Human Rights Quarterly* 30, No. 2 (May 2008): 443.

<sup>555</sup> *Ibid.*

<sup>556</sup> *Ibid.*, 468-470.

human rights.<sup>557</sup> This is when support for particular norms gathers slowly until it reaches a “tipping” point, after which the adoption of these norms by other states in the region occurs more rapidly, producing a “cascade” effect.<sup>558</sup> ASEAN member states reaffirmed their recognition of the norms of human rights in their Charter. Yet, their records on compliance as a whole continue to be poor, and they do not appear to be willing to subject themselves to monitoring by an independent and powerful human rights body at the regional level.<sup>559</sup>

The ASEAN Charter, which came into effect in December 2008, committed ASEAN member states to the establishment of an ASEAN Human Rights Body (AHRB), but did not specify which human rights convention, or standards, would be used to evaluate compliance in Southeast Asia. Moreover, it also did not specify the precise role of the Human Rights Body, including its power or functions. This lack of provisions and information on the realization of an AHRB led to doubts about its capacity to protect human rights. CSOs anticipated that the AHRB would be “more into rhetoric than real action,” while Singapore’s Foreign Minister, George Yeo, commented: “I’m not sure if it will have teeth, but it will certainly have a tongue. It will certainly have moral influence if nothing else.”<sup>560</sup> These predictions were fairly accurate when the ASEAN Human Rights Body was finally inaugurated as the ASEAN Intergovernmental Commission on Human Rights (AICHR) in October 2009. The AICHR is significant for institutionalizing human rights as part of ASEAN regionalism. As the name suggests, it is a new state-centred regional institution, and is primarily composed of former, or current, state representatives from ASEAN member

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<sup>557</sup> Ibid., 490.

<sup>558</sup> Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, No. 4 (Autumn, 1998): 887.

<sup>559</sup> See Kavi Chongkittavorn, “ASEAN human rights remain a pipe dream,” *The Nation*, 23 August 2010, <http://www.chinapost.com.tw/commentary/the-china-post/special-to-the-china-post/2010/08/23/269754/p2/ASEAN-human.htm> [accessed on 04/08/11].

<sup>560</sup> Wayne Arnold, “Historic ASEAN Charter Reveals Divisions,” *International Herald Tribune*, 20 November 2007, <http://www.nytimes.com/2007/11/20/world/asia/20iht-asean.1.8403251.html> [accessed on 02/08/11]; George Yeo, quoted in Andrea Durbach, Catherine Renshaw, and Andrew Byrnes, ““A tongue but no teeth?”: The emergence of a regional human rights mechanism in the Asia Pacific region,” *Sydney Law Review* 31, No. 2 (June 2009): 214.

states, with the exception of Indonesia and Thailand, whose representatives are from civil society and academia, respectively. The AICHR is intended to promote human rights by encouraging ASEAN member states to join and to implement international human rights instruments, and by raising awareness and providing training on human rights. It provides for the promotion, rather than protection, of human rights, and its representatives are not obliged to consult CSOs. Thus, victims of human rights violations cannot rely on the AICHR for protection, and CSOs may not always be able to meet with AICHR representatives: this reinforces the reality and perception of state-centred regionalism, and the lack of progress towards a more people-centred regionalism, and collective regional efforts to realize an ASEAN Community.

## **II. The Role of Regional Actors in Promoting an ASEAN Human Rights Mechanism**

### *ASEAN-ISIS and AIPO*

The regional network of “think tanks,” ASEAN-ISIS, has kept ASEAN member states’ aware of the increasing importance of human rights promotion in the post-Cold War period. As early as 1992, ASEAN-ISIS submitted a policy paper to ASEAN, entitled “The Environment and Human Rights in International Relations.” According to this paper, there was an

increasing tendency by the industrial countries to make economic and political cooperation with developing countries contingent... upon human rights criteria based on Western perceptions and priorities in civil and political rights without due emphasis given to other dimensions of human rights which are of equal and sometimes of ever greater concern to the developing ASEAN nations.<sup>561</sup>

ASEAN-ISIS recommended that ASEAN member states emphasize all aspects of human rights and the “situational uniqueness” of human rights in Southeast Asia, which they did at

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<sup>561</sup> ASEAN-ISIS, “The Environment and Human Rights in International Relations: An Agenda for ASEAN’s Policy Approaches and Responses” (July 1992).



the UN World Conference on Human Rights. ASEAN-ISIS became part of the regional discourse on human rights due to their recognition of the growing importance of human rights in international relations, and their useful recommendations to ASEAN member states. The ASEAN-ISIS Heads of Institutes defined human rights as a regional concern, which required discussions and policies at the regional level, especially after the ASEAN Declaration to consider a regional human rights mechanism.<sup>562</sup>

This ASEAN Declaration created the possibility for regional pressure to implement human rights. According to human rights activists, regional pressure can be very influential, since “regional political and economic interdependence generates greater external pressure on countries to exhibit a commitment to human rights norms.”<sup>563</sup> As such, the ASEAN Inter-Parliamentary Organization (AIPO) and ASEAN-ISIS promoted the establishment of a regional human rights mechanism in the hope that it would be able to generate such regional pressure between ASEAN member states and to protect human rights.<sup>564</sup> AIPO adopted a “Declaration of Human Rights,” which stated that it was the “task and responsibility of Member States to establish an appropriate regional mechanism on human rights.”<sup>565</sup> ASEAN-ISIS also exerted pressure on ASEAN member states to abide by their statement on the possibility of setting up a regional human rights mechanism. Carolina Hernandez, Director of the Institute of Strategic and Development Studies (ISDS), the Philippines’ member of ASEAN-ISIS, came up with the idea for an ASEAN-ISIS Colloquium on Human Rights

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<sup>562</sup> Herman Joseph S. Kraft, “ASEAN ISIS and Human Rights Advocacy: The Colloquium on Human Rights (AICOHR),” in Hadi Soesastro, Clara Joewono, and Carolina G. Hernandez, eds., *Twenty Years of ASEAN ISIS: Origin, Evolution and Challenges of Track Two Diplomacy* (Jakarta, Indonesia: Centre for Strategic and International Studies (CSIS), 2006), 78.

<sup>563</sup> Oona A. Hathaway, “Do Human Rights Treaties Make a Difference?” *Yale Law Journal* 111, No. 8 (June 2002): 1935.

<sup>564</sup> On the promotion of regional pressure, see, for example, Working Group for an ASEAN Human Rights Mechanism, “Workshop for an ASEAN Regional Mechanism on Human Rights,” Jakarta, 5-6 July 2001, [http://www.aseanhrmech.org/downloads/1st\\_Workshop\\_Jakarta\\_Summary.pdf](http://www.aseanhrmech.org/downloads/1st_Workshop_Jakarta_Summary.pdf) [accessed on 15/08/11].

<sup>565</sup> Quoted in Working Group for an ASEAN Human Rights Mechanism, “About Us,” <http://www.aseanhrmech.org/aboutus.html> [accessed on 05/10/10]; ASEAN parliamentarians formed AIPO in 1977, and transformed it into an ASEAN Inter-Parliamentary Assembly (AIPA) in 2007 in a move to create a more integrated institution.

(AICOHR) to promote informal dialogue on human rights between government officials, academics, and related experts.<sup>566</sup> The first AICOHR was subsequently organized by the ISDS in 1993, and received strong support from the Centre for Strategic and International Studies (CSIS), the Indonesian member of ASEAN-ISIS.

In its first five years, AICOHR failed to attract CSOs working on human rights due to their suspicion of ASEAN-ISIS' relations with ASEAN governments. However, CSO participation increased in AICOHR's sixth and seventh year, in 1999 and 2000, respectively, once they realized that the AICOHR could be used as a platform for dialogue to advance their own agendas. Regional civil society networks on human rights, such as Forum-Asia, and national networks, such as the Philippine Alliance of Human Rights Advocates, became regular participants at the AICOHR. The AICOHR did not produce new policies or treaties on human rights. However, it did contribute to community building by providing a platform for confidence building between states and CSOs. As noted by Herman Kraft from ISDS, the AICOHR was important because it put forward

the idea that human rights can be discussed in a public forum in an open and candid manner without having to worry about political repercussions. It became part of the process which made human rights and the language of human rights an increasingly acceptable part of the political discourse in ASEAN.<sup>567</sup>

According to the Working Group for an ASEAN Human Rights Mechanism, AICOHR contributed to an increasing number of human rights advocates and supporters within

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<sup>566</sup> For further details about the AICOHR and AICOHR's sponsors, see Kraft, "ASEAN ISIS and Human Rights Advocacy." Carolina Hernandez has been active at both the national and regional level. She has co-written critically important documents for the Philippines' process of democratization since the late 1980s. Moreover, she is also widely published in academic journals, on such topics as democracy and development, foreign policy, and regional security. See "Carolina Hernandez," <http://www.pdgs.org/experts/i-carolinah.htm> [accessed on 22/11/11].

<sup>567</sup> Kraft, "ASEAN ISIS and Human Rights Advocacy," 87.

ASEAN governments from 1993 - 2008.<sup>568</sup> An additional explanation for this apparent increase in human rights supporters is the fact that ASEAN leaders signed the ASEAN Charter in November 2007, which expressed their commitment to establish an ASEAN Human Rights Body.<sup>569</sup> The Working Group for an ASEAN Human Rights Mechanism argued that CSOs should use AICOHR as a platform to strengthen their relationship with human rights supporters in ASEAN governments, and to increase their chances of changing ASEAN leaders' mind-set on human rights.<sup>570</sup> In this regard, a lasting impact of the ASEAN-ISIS initiated AICOHR has been its ability to bring state actors and CSOs together to discuss human rights, and to partly influence state actors' increasing support for a regional human rights mechanism.

*The Working Group for an ASEAN Human Rights Mechanism and National Human Rights Institutions*

The Law Association for Asia and Pacific (LAWASIA) organized a series of meetings in 1995 to discuss the possibility of institutionalizing human rights as part of ASEAN regionalism; these meetings produced the Working Group for an ASEAN Human Rights Mechanism in 1996, which has been indefatigable in promoting human rights within an ASEAN framework.<sup>571</sup> The Working Group is a coalition of national working groups from ASEAN member states, which comprise representatives from government institutions, parliamentary human rights committees, academia and non-governmental organizations

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<sup>568</sup> Working Group for an ASEAN Human Rights Mechanism, "15<sup>th</sup> AICOHR: Human Rights Advocates Discuss Opportunities for ASEAN Human Rights Body," Manila, the Philippines, May 2008, <http://www.aseanhrmech.org/news/human-rights-advocates-discuss-hr-body.html> [accessed on 10/02/11].

<sup>569</sup> Konrad-Adenauer-Stiftung (a sponsor of AICOHR), "15<sup>th</sup> ASEAN ISIS Colloquium on Human Rights – Towards Implementing the Human Rights Provisions in the ASEAN Charter: Views from Human Rights Advocates," Manila, the Philippines, May 2008, <http://www.kas.de/rspa/en/events/30545> [accessed on 08/08/11].

<sup>570</sup> Working Group for an ASEAN Human Rights Mechanism, "15<sup>th</sup> AICOHR."

<sup>571</sup> LAWASIA describes itself as "an international organization of lawyers' associations, individual lawyers, judges, legal academics and others which (focus) on the interests and concerns of the legal profession in the Asia Pacific region." See LAWASIA, "Profile of LAWASIA," <http://www.lawasia.asn.au/profile-of-lawasia.htm> [accessed on 01/08/11].

(NGOs).<sup>572</sup> Its secretariat is based in the Human Rights Centre of the Ateneo de Manila University in the Philippines. The Working Group has worked with ASEAN member states on human rights and has applied the UN building blocks approach. This includes four main activities: promoting human rights action plans, supporting the establishment of national human rights institutions, fostering human rights education, and realizing economic, social, and cultural rights, as well as the right to development.<sup>573</sup> The Working Group engaged a range of regional stakeholders, including commissioners from the national human rights commissions in Indonesia, Malaysia, the Philippines, and Thailand, which together formed a network of National Human Rights Institutions (NHRIs), that is, a network of independent, professional institutions, in 2007.<sup>574</sup> That same year, the NHRIs submitted a joint position paper to the High Level task Force for an ASEAN Human Rights Body, which called for the ASEAN Charter to include provisions on the role of the NHRIs, and for the establishment of a human rights mechanism.<sup>575</sup> Since then, the NHRIs have participated in meetings between ASEAN officials and CSOs, and have promoted their own role in any regional mechanism on human rights.

The Working Group sought the NHRIs' support for an independent and effective ASEAN Human Rights Body (AHRB), and was able to gain their support on two points in January 2008. First, that members of the AHRB should be nominated by the National Human Rights Institutions and CSOs, and then appointed by the Foreign Ministry of ASEAN member states. Second, that the AHRB should have the mandate and the power to monitor

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<sup>572</sup> Working Group for an ASEAN Human Rights Mechanism, "About Us."

<sup>573</sup> Linton, "ASEAN States, Their Reservations to Human Rights Treaties and the Proposed ASEAN Commission on Women and Children," 438.

<sup>574</sup> They are bound together by a "Declaration of Cooperation," which was adopted on 28 June 2007. The Declaration expresses their commitment to the promotion and protection of human rights.

<sup>575</sup> "Position Paper of the National Human Rights Institutions of Indonesia, Malaysia, the Philippines, and Thailand on Human Rights Aspects of the ASEAN Charter," Bali, Indonesia, 26 June 2007, [http://www.aseannhriforum.org/attachments/012\\_positionpaper\\_bali.pdf](http://www.aseannhriforum.org/attachments/012_positionpaper_bali.pdf) [accessed on 01/08/11].

human rights issues within the region.<sup>576</sup> The Working Group served as a bridge between national institutions and regional institutions, to promote harmonization between them. Moreover, due to its inclusion of both state and civil society actors, the Working Group also serves as a bridge between states and CSOs, and constitutes an important coalition that can facilitate a collective, rather than fragmented, community building process. As argued by a representative of a donor organization based in Bangkok:

The most influential organization working for the establishment of an ASEAN human rights body is the Working Group, which includes some individuals who are working in both government and civil society organizations. Multiple connections with leaders at the higher level and civil society groups are necessary in any attempt to find common ground among stakeholders in Southeast Asia.<sup>577</sup>

However, while the Working Group was a major actor in promoting an AHRB, state-CSO meetings organized by the Working Group were not always fruitful due to the lack of attendance by some ASEAN member states and the reluctance of those who did attend to commit to any reforms or new policies.<sup>578</sup>

#### *CSOs: SAPA*

Civil society's advocacy on human rights has been led by the regional network of CSOs, Solidarity for Asian People's Advocacy (SAPA), which was introduced in chapter five. SAPA formed working groups and task forces for engagement with ASEAN, such as the SAPA Task Force on ASEAN and Human Rights in 2006. This Task Force comprises national and regional organizations, such as the Asian Forum for Human Rights and Development (Forum Asia), and has established "focal points" (people who coordinate the

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<sup>576</sup> Working Group for an ASEAN Human Rights Mechanism, "15<sup>th</sup> AICOHR."

<sup>577</sup> Quoted in Yukiko Nishikawa, *Human Security in Southeast Asia* (New York: Routledge, 2010), 98-99. This view is supported by: Thai diplomat who wishes to remain anonymous 1, interview by author, note taking and recording. Ministry of Foreign Affairs, Thailand, 1 June 2010.

<sup>578</sup> Thai diplomat who wishes to remain anonymous 2, interview by author, note taking and recording. Ministry of Foreign Affairs, Thailand, 1 June 2010.

Task Force's work) in each ASEAN member state (excepting Brunei Darussalam, Laos, and Myanmar, whose focal points are in Thailand). Moreover, the Task Force also engages in capacity building by establishing thematic "focal points" in such areas as children and migrant workers.

SAPA challenged the official ASEAN position on human rights, thereby highlighting a fragmented community building process, by issuing the following demands to ASEAN leaders during the drafting process for an ASEAN Charter. SAPA demanded an effective ASEAN human rights mechanism, which would be able to promote, as well as protect human rights. In addition, SAPA also demanded the explicit recognition of the rights of vulnerable social groups, such as migrant workers, women and children, while stressing that the state is not the only referent of security, but also the people.<sup>579</sup> When it came to drafting the terms of reference, or the guiding principles, for the ASEAN Human Rights Body (AHRB), SAPA demanded an "inclusive process...ensuring the widest representation of organisations in the drafting, adoption, and implementation."<sup>580</sup> SAPA demanded a mechanism to protect "Human Rights Defenders" from oppressive regimes. A "human rights defender" is defined as "anyone who, individually or in association with others, promotes and strives for the protection and fulfilment of human rights and basic freedoms, whether at the national or international level, regardless of her or his role in society."<sup>581</sup> SAPA's advocacy on human rights included calls for the right of rural communities to access and to manage natural resources, so that they may secure their livelihoods, as well as commitments by transnational

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<sup>579</sup> See "Solidarity for Asian People's Advocacy (SAPA) Submission on Political and Human Security to the ASEAN EPG on the ASEAN Charter," 17 April 2006, <http://www.seaca.net> [accessed on 11/10/10]; "Solidarity for Asian People's Advocacy (SAPA) Working Group on the ASEAN: Submission on the Socio-Cultural Pillar and Institutional Mechanisms to the Eminent Persons Group on the ASEAN Charter," 10 November 2006, <http://www.focusweb.org/philippines> [accessed on 14/10/10]; "ASEAN for the People: Statement of the 2<sup>nd</sup> ASEAN Civil Society Conference (ACSC II)," 12 April 2007, <http://www.seaca.net> [accessed on 11/10/10].

<sup>580</sup> "ACSC4-APF Statement: Advancing a People's ASEAN," 22 April 2009, <http://www.seaca.net> [accessed on 11/10/10].

<sup>581</sup> Ibid. Definition from Rashid Kang, Michele Keegan, and Sanjay Gathia, "Human Rights Defender in the Asia Region 2002," in Surichai Wungao, ed., *Challenges to Human Security in a Borderless World* (Bangkok: Chulalongkorn University, 2002), 17.

corporations to abide by international human rights standards. SAPA sought to “empower,” or to strengthen the capacity of rural communities, so that they may contribute to sustainable development in the region.<sup>582</sup> In this endeavour, SAPA lobbied senior officials from related ministries in Cambodia, Laos, Malaysia, Thailand, and Vietnam, as well as those from related divisions in the ASEAN Secretariat in 2009; for example, the Ministry of Social Labour and Welfare in Laos, the Ministry of Human Resources in Malaysia, and the Socio-Cultural Community (ASCC) Department of the ASEAN Secretariat.<sup>583</sup>

### **III. Case Study: The Process of Realizing an ASEAN Human Rights Body and Its Current Achievements**

The realization of an ASEAN Human Rights Body (AHRB), as stipulated in the ASEAN Charter, is significant for two main reasons: first, it demonstrates the institutionalization of a new, and people-centred issue, as opposed to old, state-security-economic-centred issues, as part of ASEAN regionalism; second, it contributes towards a regional identity by promoting common standards and common conduct in state-society and inter-state relations. The ASEAN member states which have national human rights commissions – Indonesia, Malaysia, the Philippines and Thailand – were more willing to support human rights at the regional level. As such, they led the Working Group for an ASEAN Human Rights Mechanism. Brunei and Singapore adopted a neutral stance, while Cambodia, Laos, Myanmar and Vietnam were unenthusiastic.<sup>584</sup>

The Working Group and CSOs were successful in getting ASEAN member states to go through the process of establishing an ASEAN Human Rights Body (AHRB); however, they have thus far failed in their endeavours to create a new regional institution, which would

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<sup>582</sup> Asian Partnership for Development of Human Resources in Rural Asia, “CSO recommendations to effectively address the impact of the global financial crisis on the vulnerable sectors in the ASEAN region,” 6 August 2009, <http://www.asiadhrra.org> [accessed on 11/10/10].

<sup>583</sup> Ibid.

<sup>584</sup> Durbach, Renshaw, and Byrnes, “ “A tongue but no teeth?” 222.

be more characteristic of participatory regionalism. ASEAN Foreign Ministers established a High Level Panel (HLP) to draft the Terms of Reference (TOR), or the guiding principles, for the AHRB in February 2008. Members of the HLP were mainly from the Foreign Ministry of ASEAN member states and thus fully aware of the difficulties in providing for a proactive, people-centred regional mechanism due to ASEAN's political diversity and states' preference to have control over regional institutions.<sup>585</sup> Nevertheless, the HLP did meet with CSOs in September 2008 and March 2009. CSO participants at these meetings included those from the Working Group, the national human rights commissions, the Solidarity for Asian People's Advocacy (SAPA), and the Women's Caucus for an ASEAN Human Rights Mechanism. They expressed their preference for the AHRB to be institutionalized as a commission, which would be bound by the same obligations as the national human rights commissions, as described below.

National Human Rights Commissions are guided by the UN's principles on national institutions, or the "Paris Principles," which include having a comprehensive mandate to deal with human rights violations, and membership that is independent from government and that is drawn from a wide spectrum of civil society.<sup>586</sup> Within ASEAN, there are four such commissions: the commission of Indonesia (known by its acronym, Komnas HAM), Malaysia (SUHAKAM), the Philippines (CHRP), and Thailand (Khamakarn Sit). These commissions show how it is already difficult enough to implement the Paris Principles at the national level, let alone for ASEAN member states to implement them at the regional level

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<sup>585</sup> For the list of members, see ASEAN Secretariat, "List of Members of the High Level Panel on an ASEAN Human Rights Body (HLP)," <http://www.aseansec.org/documents/AICHR/HLP-Members.pdf> [accessed on 15/02/11].

<sup>586</sup> Office of the United Nations High Commissioner for Human Rights, "Principles relating to the Status of National Institutions (The Paris Principles)," 20 December 1993, <http://www2.ohchr.org/english/law/parisprinciples.htm> [accessed on 07/08/11].



through an ASEAN Human Rights Body.<sup>587</sup> For example, Malaysia's commission does not explicitly promote the role of civil society in human rights, unlike the other three commissions. In Indonesia, the secretary-general of the national human rights commission must be a civil servant, which compromises the commission's independence from the government. The independence of Thailand's commission is compromised by the fact that its secretariat is part of the state bureaucracy, and that its officials can thus be subject to political interference. Thus, the institutionalization of an ASEAN Human Rights Body as a "commission" does not necessarily mean that it will provide a role for CSOs or that it will be free of state actors.

In their meetings with CSOs, the High Level Panel (HLP) for an ASEAN Human Rights Body reiterated that the ASEAN principle of non-interference was non-negotiable and that it was also stipulated in the UN Charter. Moreover, some members of the HLP stressed that the terms of reference (TOR) is a political compromise between ASEAN member states and that it cannot be expected to address and/or resolve all the human rights issues within the region. ASEAN member states were divided between those which have national human rights commissions – Indonesia, Malaysia, the Philippines and Thailand – and those which do not – Myanmar, Laos, Cambodia and Vietnam.<sup>588</sup> When it came to drafting the TOR, Indonesia and Thailand supported the inclusion of fact-finding, annual reports, and regional rights monitoring, which would facilitate progress from promotion to protection of human rights.<sup>589</sup> In addition, Indonesia, the Philippines and Thailand also supported a participatory and

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<sup>587</sup> The following points in this paragraph are derived from Maznah Mohamad, "Towards a Human Rights Regime in Southeast Asia: Charting the Course of State Commitment," *Contemporary Southeast Asia* 24, No. 2 (Aug., 2002): 240-241.

<sup>588</sup> Working Group for an ASEAN Human Rights Mechanism, "ASEAN Rights Panel Aims to Finish Work Next Year," 2008, <http://www.aseanhrmech.org/news/singapore-hosts-the-7th-workshop.html> [accessed on 10/02/11].

<sup>589</sup> Chongkittavorn, "ASEAN human rights remain a pipe dream"; Simon Tay, "ASEAN Human Rights Body: Talks Begin, Differences Emerge," *Singapore Institute of International Affairs*, 23 July 2008, <http://www.siiionline.org/?q=programmes/insights/asean-human-rights-body-talks-begin-differences-emerge> [accessed on 28/07/11].

consultative process for the AHRB, which includes CSOs as stakeholders.<sup>590</sup> However, all of these progressive clauses were unsurprisingly rejected in the final TOR, which catered more for the “promotion” rather than the “protection” of human rights. Activities to promote human rights include raising human rights awareness, promoting capacity building, encouraging member states “to consider acceding to and ratifying international human rights instruments,” and promoting the implementation of “ASEAN instruments related to human rights.”<sup>591</sup> With regard to the “protection” of human rights, the TOR does not elaborate on what activities this would involve. The TOR limits the AHRB to a consultative function, and does not give it a mandate to monitor and to investigate human rights issues, as proposed by CSOs. Moreover, the TOR does not mention CSOs, nor oblige ASEAN member states to consult them.<sup>592</sup> The TOR reflects ASEAN member states’ prioritization of regional unity, whereby the “primary responsibility to promote and protect human rights,” rests “with each Member State” and whereby the “pursuance of a constructive...non-confrontational...evolutionary approach” is emphasized.<sup>593</sup> As such, ASEAN’s progress on human rights is restricted to the lowest common denominator, especially in terms of the AHRB’s provision for decision-making through consensus. Amnesty International correctly pointed out that this provision “means that each state would be able to reject any criticism of its own human rights record by veto,” and that “this could lead either to paralysis or to the adoption of weak positions based on the lowest common denominator.”<sup>594</sup> Given these characteristics, CSOs viewed the TOR of the AHRB as a means for ASEAN member states to appease the international community on human rights while avoiding reform.

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<sup>590</sup> Chongkittavorn, “ASEAN human rights remain a pipe dream.”

<sup>591</sup> ASEAN Secretariat, “ASEAN Intergovernmental Commission on Human Rights (Terms of Reference),” 2009, <http://www.aseansec.org/publications/TOR-of-AICHR.pdf> [accessed on 09/02/11].

<sup>592</sup> See ASEAN Secretariat, “Terms of Reference for the High Level Panel on an ASEAN Human Rights Body,” 21 July 2008, <http://www.aseansec.org/HLP-TOR.pdf> [accessed on 15/02/11].

<sup>593</sup> ASEAN Secretariat, “ASEAN Intergovernmental Commission on Human Rights (Terms of Reference).”

<sup>594</sup> Amnesty International, “ASEAN’s new body must protect and promote human rights,” 21 July 2009, <http://www.unhcr.org/refworld/docid/4a6823f1a.html> [accessed on 01/08/11].

On the other hand, ASEAN member states defended the TOR as a document that abided by the ASEAN norm of working at “a pace comfortable to the slowest member.”<sup>595</sup> As explained by Usana Berananda from the Thai Foreign Ministry, the TOR provides ASEAN member states with a “comfort level” from which they may come to realize the need for a stronger ASEAN human rights body.<sup>596</sup> Termsak Chalermphanupap, the ASEAN Secretariat official who served as an adviser to the High Level Panel (HLP), defended the AHRB’s principles and functions as maintaining regional unity and providing a space for mutual learning within a politically diverse region:

Like all other ASEAN organs or bodies, the AHRB shall operate through consultation and consensus, with firm respect for the sovereign equality of all Member States. Good points can be made and constructive actions can be agreed upon in friendly discussion and persuasion. No “biting” is ever required, ASEAN would not have come this far if its Member States want to bite one another with sharp teeth just to get things done their own way...

Owing to the unique political diversity in ASEAN’s membership, cooperation on human rights has to begin somewhere, at a point where every Member State is comfortable and agreeable...the most important added value of the AHRB is in providing a new venue and a new learning process for the diverse ASEAN Member States to cooperate on human rights at the regional level. In doing so, the AHRB is expected to develop functions, including various aspects of human rights protection.<sup>597</sup>

Thus, for ASEAN member states, the AHRB indicated progress in community building by providing a starting point for regional learning and cooperation on human rights.

However, the ASEAN Human Rights Body (AHRB) became finalized and inaugurated as the ASEAN Intergovernmental Commission on Human Rights (AICHR): the name change itself already highlights the state-centred nature of this new ASEAN institution,

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<sup>595</sup> M.C. Abad, Jr., “The Association of Southeast Asian Nations: Challenges and Responses,” in Michael Wesley, ed., *The Regional Organization of the Asia Pacific: Exploring Institutional Change* (London: Palgrave Macmillan, 2003), 59.

<sup>596</sup> Working Group for an ASEAN Human Rights Mechanism, “Participants at the 8<sup>th</sup> Workshop anticipates more engagements with the human rights body,” Bangkok, Thailand, 14-15 July 2009, <http://www.aseanhrmech.org/news/participants-anticipates-more-engagements-with-human-rights.htm> [accessed on 10/02/11].

<sup>597</sup> Termsak Chalermphanupap, “10 Facts about ASEAN Human Rights Cooperation,” <http://www.aseansec.org/HLP-OtherDoc-1.pdf> [accessed on 21/02/11].

which was later composed of a majority of state actors, and was ultimately run by ASEAN member states. Only two ASEAN member states – Indonesia and Thailand – used an open and transparent process to appoint their representatives to the AICHR. In both countries, the position was advertised and the public was able to nominate candidates to their government’s select committee. As a result, independent human rights experts were appointed as the Indonesian and Thai representatives to the AICHR: Rafendi Djamin and Sriprapha Petcharamesreewere, respectively. The former is the Coordinator of the National Human Rights Working Group in Indonesia, and also the convener of the SAPA Task Force on ASEAN and Human Rights (SAPA TF – AHR).<sup>598</sup> The latter is a professor and a former Director of the Office of Human Rights Studies and Social Development at Mahidol University, Thailand, and has spent 30 years of her career in academia and human rights advocacy. With regard to other ASEAN member states, the appointment process was closed, and their representatives to the AICHR had a career in diplomacy or other branches of the civil service. Many of them had not resigned from their government posts and had no prior experience in the area of human rights. As such, the SAPA Task Force pointed out that these representatives’ direct or indirect affiliation to their government, together with their lack of experience of human rights, seriously undermined the independence and effectiveness of the AICHR.<sup>599</sup>

Nevertheless, after the AICHR was established, CSOs continued their advocacy for ASEAN’s protection of human rights and directed their efforts towards the draft for AICHR’s

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<sup>598</sup> The SAPA TF –AHR grew out of the first Regional Consultation on ASEAN and Human Rights in Kuala Lumpur, Malaysia on 26-28 August 2007. It is a network of more than 70 CSOs, which seek to hold ASEAN member states accountable to their international and domestic human rights obligations, and to make the ASEAN human rights mechanism credible by being independent, accountable and effective.

<sup>599</sup> SAPA Task Force on ASEAN and Human Rights, “Hiding behind Its Limits: A Performance Report on the first year of the ASEAN Intergovernmental Commission on Human Rights (AICHR),” 27 October 2010, <http://www.indigenouspeopleissues.com/attachments/article/7301/Report-on-AICHR-s-First-Year-for-dist.pdf> [accessed on 14/02/11]. For the list of ASEAN representatives to the AICHR, see ASEAN Secretariat, “ASEAN Intergovernmental Commission on Human Rights (AICHR),” <http://www.aseansec.org/22769.htm> [accessed on 19/02/11].

rules of procedure. Khin Omar, a representative of the SAPA Task Force on ASEAN and Burma, stated that AICHR's rules of procedure should include means to protect individuals or groups, who provide information, cooperate with AICHR, attend public hearings and give testimony.<sup>600</sup> However, when the AICHR was under Vietnam's Chairmanship in 2010, CSOs were not even allowed to discuss the rules of procedure with ASEAN governments. As a result, an important opportunity was missed to receive CSOs' proposals, which would have significantly strengthened AICHR's credibility and relevance to Southeast Asian peoples as a mechanism to address human rights issues. CSOs' proposals included the development of a petition mechanism, which would receive and respond to cases of human rights violations, conduct on site observation, as well as a public hearing or inquiry. Moreover, CSOs also proposed the establishment of sub-commissions, working groups and committees for specific tasks, and, if necessary, the appointment of independent human rights rapporteurs.<sup>601</sup> The AICHR's refusal to meet with CSOs from the SAPA Task Force on ASEAN and Human Rights in March 2010 highlighted the unwillingness of some ASEAN member states to meet CSOs and to abide by one of the objectives of the ASEAN Charter, which is "to promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building."<sup>602</sup> The then Vietnamese Chair justified AICHR's refusal to meet with CSOs by stating that there was still no clear mechanism on how AICHR should engage with external parties. He added that AICHR will meet with CSOs once the mechanism for engagement has been clarified. However, this assurance was not enough compensation for the damage done to AICHR's credibility. As stated by Yap Swee Seng, the co-convenor of the SAPA Task Force, and Executive Director of Forum-Asia:

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<sup>600</sup> Achara Ashayagachat, "ASEAN rights commission to meet Sunday," *Bangkok Post*, 27 March 2010, <http://www.bangkokpost.com/news/local/172945/aicHR-body-to-meet-tomorrow> [accessed on 11/02/11].

<sup>601</sup> Ibid.

<sup>602</sup> ASEAN Secretariat, "The ASEAN Charter," January 2008, <http://www.aseansec.org/publications/ASEAN-Charter.pdf> [accessed on 19/02/11].

As a human rights institution, the refusal to meet with civil society is in itself a contradiction of the spirit and principles of human rights. How can we expect this institution to promote and protect human rights in future? The High Level Panel that drafted the Terms of Reference (TOR) of the AICHR met with civil society and national human rights institutions three times before they finalized the TOR, I don't see why the AICHR cannot meet and consult with civil society before they finalize the (rules of procedure). This is definitely a regression in terms of civil society participation.<sup>603</sup>

The AICHR's credibility was not only undermined by its refusal to meet with CSOs, but also by the Vietnamese Chair's response to CSOs' earlier submission of human rights violations to the AICHR. At the time, the Vietnamese Chair explained that there was similarly no clear mechanism on how AICHR should handle cases on human rights, and reiterated the ASEAN principle of non-interference.<sup>604</sup> This incident confirmed two things. First, that some ASEAN member states remain unwilling to address, and to resolve human rights issues. Second, that there can only be progress in the promotion and protection of human rights if AICHR is independent from ASEAN member states. The main problem here is incompatible views between CSOs and ASEAN member states: CSOs envision AICHR as a means to correct domestic shortcomings, while ASEAN member states see AICHR as a means to consolidate their defence against external interference in these shortcomings. As stated by Max M. de Mesa (Chairperson of the Philippine Alliance of Human Rights Advocates – PAHRA): “the human rights body could be the collective effort to redress deficiencies of domestic efforts to promote and protect human rights, as well as to progressively realize their enjoyment in the ASEAN Community.”<sup>605</sup>

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<sup>603</sup> Asia Pacific Refugee Rights Network, “Civil Society Condemns AICHR for Refusing to Meet, Calls for Draft Rules of Procedure to be Made Public and Hold Wider Consultation,” 1 April 2010, <http://www.refugeerightasiapacific.org/2010/04/01/civil-society-condemns-aichr-for-refusing-to-meet-calls-for-draft-rules-procedures-to-be-made-public-and-hold-wider-consultation> [accessed on 14/02/11].

<sup>604</sup> Ibid.

<sup>605</sup> Max M. de Mesa, “Civil Society Involvement in the Promotion and Protection of Human Rights in Southeast Asia: The Next Steps, Building Formations of Human Rights Defenders and a Human Rights Culture,” Paper presented at the 16<sup>th</sup> ASEAN-ISIS Colloquium on Human Rights, 27 February 2009, Manila, the Philippines.

However, in their evaluation of AICHR's achievements after one year, the SAPA Task Force on ASEAN and Human Rights criticized AICHR for being yet another state-centred regional institution, with no sign of becoming more people-centred.<sup>606</sup> For this reason, the SAPA Task Force questioned whether AICHR was "little more than a legitimacy-seeking 'window-dressing' exercise, not to be followed by any concrete implementation."<sup>607</sup> This question was particularly valid given AICHR's weak foundation in increasing ASEAN member states' protection of human rights, and two other factors which restrict participatory regionalism in human rights issues. First, difficulty in accessing information on the AICHR's activities; and second, the lack of results-oriented consultation with CSOs, as well as provision for the participation of CSOs and other stakeholders (such as the four national human rights institutions within ASEAN) in AICHR's activities.

Given these weaknesses, a group of human rights activists in Southeast Asia, who are mostly affiliated with the Working Group for an ASEAN Human Rights Mechanism, came up with the idea to establish a Human Rights Resource Center for ASEAN (HRRCA) in 2010. These human rights activists include Marzuki Darusman (Indonesian human rights campaigner), Dato Param Cumaraswamy (Malaysian lawyer), Kavi Chongkittavorn (Thai journalist), and Ambassador Ong Keng Yong (Singaporean ASEAN Secretary-General 2003-2007). The Human Rights Resource Center for ASEAN is a non-profit foundation under Indonesian law, and is based at the University of Indonesia, in Jakarta. It is independently funded by various donors, such as the United States Agency for International Development (USAID) and the Canadian Development Agency.<sup>608</sup> The Centre serves as a central hub, which is linked to a network of universities that provide research and training on human rights in Southeast Asia. Current partner institutions include the University of Indonesia,

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<sup>606</sup> SAPA Task Force on ASEAN and Human Rights, "Hiding behind Its Limits."

<sup>607</sup> Ibid.

<sup>608</sup> Human Rights Resource Centre for ASEAN, "HRRCA Institutional Profile," <http://www.hrcca.org/system/files/HRRCA%20profile.pdf> [accessed on 29/07/11].

Ateneo University School of Law (Philippines), the University of Malaya (Malaysia), the National University of Singapore, Singapore Management University and Pannasastra University of Cambodia.<sup>609</sup> The Centre draws upon academic and civil society expertise on human rights to provide training and reports on a range of human rights issues in the region. It promotes the idea of human rights as part of ASEAN regionalism, and the idea of ASEAN as a regional community, thereby reinforcing the efforts of the Working Group. The establishment of the Centre adds to the list of new ASEAN entities, such as the Working Group and AICHR, which were created to promote human rights within ASEAN. Thus, ASEAN community building has at least progressed in terms of raising regional awareness on social issues, such as human rights, and in terms of expanding ASEAN institutions beyond the traditional areas of security and economic cooperation.

However, some ASEAN member states still refuse to meet with CSOs or to make the AICHR more effective, and more recognizable, as a relevant regional mechanism. The SAPA Task Force did note that a few of AICHR's members, such as the Philippines and Thailand, held consultations with CSOs at the national level, and that AICHR met the Working Group in September 2010 and July 2011 to discuss the implementation of AICHR's goals.<sup>610</sup> In between these two meetings, ASEAN member states demonstrated their support for the promotion of human rights by co-organizing the following activities with the Working Group:

- Workshop on Developing National Human Rights Action Plans in ASEAN (12-13 November 2010, Manila)
- Informational Programme for the Principal Assistants of the ASEAN Intergovernmental Commission on Human Rights (20-27 November 2010, Strasbourg and Berlin)
- Workshop on Corporate Social Responsibility within an ASEAN Human Rights Framework (30 November-1 December 2010, Singapore)

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<sup>609</sup> Ibid.

<sup>610</sup> On consultations with CSOs at the national level, see SAPA Task Force on ASEAN and Human Rights, "Hiding behind Its Limits."



- Discussion on the Human Rights Implications of the ASEAN Community Blueprints (22-23 February 2011, Luang Prabang)<sup>611</sup>

The problem is ASEAN member states realize that they can promote human rights without implementing political reforms by agreeing to raise awareness, and to facilitate research and training on the promotion and protection of human rights. They have established a regional institution on the people-centred issue of human rights, but have not committed this institution to consultation with CSOs or human rights protection. Two years after the establishment of AICHR in 2011, CSOs still criticize AICHR for being “a shield for ASEAN to deflect world scrutiny from its troubling human rights record,” and for having national representatives who “don’t want to meet with civil society organizations – except those they think like them.”<sup>612</sup> Thus, ASEAN member states seem to be neither open to the international community nor to each other on human rights, which highlights the underlying different standards and practices. ASEAN member states are still at the state-centred end of the spectrum on regionalism and human rights, that is, they recognize and promote human rights norms, while maintaining the exclusively state-centred nature of agenda-setting and policy implementation. Until they reach the international standards on human rights, and harmonize their human rights standards and practices, they will continue to be separate from both the international community, and from each other, on human rights issues.

#### **IV. Conclusion**

According to the new regionalism approach, progress towards the realization of a regional community is indicated by the widening of regional processes to non-state actors,

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<sup>611</sup> Working Group for an ASEAN Human Rights Mechanism, “Working Group Meets with the AICHR; Discusses Engagements and Activities,” 1 July 2011, <http://www.aseanhrmech.org/news/working-group-meets-aicHR-engagements-and-activities.htm> [accessed on 08/08/11].

<sup>612</sup> Pravit Rojanaphruk, “ASEAN Commission ‘Fails Miserably in Promoting, Protecting Human Rights,’” *The Nation*, 8 August 2011.

namely, civil society organizations (CSOs), and states' cooperation in an increasing number of areas beyond the traditional state-centred security and economic interests. This chapter tested ASEAN's progress in community building based on ASEAN's adoption of human rights and provisions for CSO participation in this area. The emergence of a human rights discourse and human rights policies in ASEAN was stimulated by both external and internal factors. In terms of external factors, there was pressure from the West's emphasis on democratization and human rights in their foreign policy, as well as the UN World Conference on Human Rights in 1993, and the resultant consensus on the need for regional human rights mechanisms. With regard to internal factors, ASEAN member states realized the need to reinvent ASEAN for its survival in the post-Cold War period, and democratizing ASEAN member states became more willing to talk and work with CSOs on human rights. Moreover, academia, CSOs and independent, professional institutions, such as ASEAN-ISIS, the Working Group for an ASEAN Human Rights Mechanism, SAPA, and National Human Rights Institutions, also promoted human rights within an ASEAN framework, and were able to engage in dialogue, and to discuss proposals with some ASEAN officials. Not all ASEAN member states attended meetings with the Working Group, and those that did attend were unwilling to commit to any proposals due to their challenge to the traditional state-centred ASEAN Way of non-interference and decision-making through consensus.

ASEAN member states established an ASEAN Intergovernmental Commission on Human Rights (AICHR), and ensured that they would have control over it by creating a High Level Panel (HLP) to draft its Terms of Reference (TOR). As such, the promotion and protection of human rights in ASEAN has progressed asymmetrically, with ASEAN member states being able to agree and to make provisions for the former, rather than the latter. Progress in human rights is overall marked by a political struggle and compromise between democratizing and authoritarian ASEAN member states, and between states and civil society.

The AICHR maintains ASEAN member states' defensive mechanisms against external interference and their exclusive role in agenda-setting. Moreover, the AICHR does not make provisions for progress towards people-centred regionalism, since it does not provide for the investigation of individual, or collective, complaints, nor does it provide for civil society's participation. In this regard, the AICHR has contributed to community building in terms of institutionalizing ASEAN member states' recognition and promotion of human rights norms, and thereby facilitating the emergence of a regional position and identity on human rights. However, ASEAN member states still disagree on the extent to which there should be regional cooperation on human rights, and the extent to which they should cooperate with CSOs in this area. Thus, community building remains a fragmented, state-centred process, rather than a collective process with increased participatory regionalism.

## Chapter Seven: Transnational Civil Society Networks (TCSN) and Community Building

This chapter evaluates ASEAN's progress in regional community building, based on the development and impact of transnational civil society networks (TCSN) in creating multi-level linkages in ASEAN discourse and policy, that is, the linking of the domestic and the regional into an integrated framework. TCSN are composed of civil society organizations (CSOs), which present themselves as protectors of the interests of local communities, by ensuring that state policies at all levels – be they national, regional, or international – cater to these interests. TCSN create multi-level linkages on many scales, ranging from developments and policies at the global level, to those at the local level. They are part of a broad transnational activism, which has been described by some scholars as a process of “globalization from below,” and by others as “globalization from the middle.”<sup>613</sup> More specifically, transnational activism is defined as “social movements and other civil society organisations and individuals operating across state borders,” who engage in political activities to raise awareness of local communities' interests, and to secure these interests in state policies.<sup>614</sup> International relations theorist, Michael Edwards, identifies two main reasons for the legitimacy of civil society's political role at the national level and beyond. These are: 1) representation, which gives them a right to participate in policy-making, and 2) effectiveness in identifying issues of concern and initiating collective action, which gives them a right to be heard.<sup>615</sup> A fellow IR theorist, Mary Kaldor, comments on the political implications of transnational activism, as constituting a “demand for a radical extension of

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<sup>613</sup> Richard Faulk, *Predatory Globalization – A Critique* (Cambridge: Polity Press, 1999); Peter Waterman, *Globalisation, Social Movements, and the New Internationalism* (London: Continuum, 2001), 136.

<sup>614</sup> Nicola Piper and Anders Uhlin, “New perspectives on transnational activism,” in Nicola Piper and Anders Uhlin, eds., *Transnational Activism in Asia: Problems of Power and Democracy* (London: Routledge, 2004), 4-5.

<sup>615</sup> Michael Edwards, “Introduction,” in Michael Edwards and John Gaventa, eds., *Global Citizen Action* (London: Earthscan Publications, 2001), 7.

democracy across national and social boundaries,” which would facilitate increased participatory regionalism.<sup>616</sup> Transnational activism has traditionally been associated with calls for social justice and balanced economic development in response to trade liberalisation, as embodied in the World Trade Organization (WTO) agenda.<sup>617</sup> It later became associated with other international trends, such as democratization, and increasing interactions between state and non-state actors.<sup>618</sup>

This chapter will focus on the emergence and impact of transnational civil society networks (TCSN) which work on rural development and food security, since these areas have been identified as new security issues in Southeast Asia, and are also people-centred issues, as opposed to state-centred. By focusing on TCSN, one can determine their regional coverage, and their potential for promoting regional solidarity through CSOs’ dialogue on common developmental concerns, and collective efforts to negotiate states’ response to these concerns. The identification of TCSN’s agenda sheds light on the prospects and challenges of shifting ASEAN’s state-centred regionalism towards a more people-centred one, based on similarities and differences between the aspirations of states and TCSN. With regard to the focus on rural development and food security, these areas constitute non-traditional security issues, and are included within the broad human security framework in the field of international relations. The concept of human security originated from the *Human Development Report* in 1994, which was produced by the United Nations Development Programme (UNDP). According to this concept, the individual, rather than the state, is the primary referent of security. Human security is broadly defined as “freedom from want” and

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<sup>616</sup> Mary Kaldor, “Transnational Civil Society,” in Tim Dunne and Nicholas J. Wheeler, eds., *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), 195.

<sup>617</sup> John Clark, ed., *Globalizing Civil Engagement* (London: Earthscan, 2003); Mike Prokosh and Laura Raymond, eds., *The Global Activists’ Manual: Local Ways to Change the World* (New York: Nation Books, 2005), 8.

<sup>618</sup> Sidney Tarrow, *The New Transnational Activism* (Cambridge: Cambridge University Press, 2005), 8; Thomas Risse-Kappen, *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Institutions* (Cambridge: Cambridge University Press, 1995), 20.

“freedom from fear,” with threats to security expanding beyond external military threats to include domestic challenges, such as political instability, social unrest, environmental security and food security.<sup>619</sup> In terms of intergovernmental discourse, food security was defined at the World Food Summit in 1996 as a situation “when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary need and food preferences for an active and healthy life.”<sup>620</sup> In this regard, TCSN extend the definition of food security to include participatory regionalism, and seek to push for an integrated system of social participation across the national and regional levels. In practice, this means that civil society organizations, which are members of a TCSN, will seek to build on the momentum of increased political activism at the domestic level by 1) strengthening their capacity-building efforts; 2) consolidating horizontal networks across the region for advocacy and political leverage vis-à-vis states; 3) lobbying for states’ recognition and a process of vertical exchanges on policy-feedback and policy alternatives.

In Southeast Asia, the emergence of TCSN was primarily a reaction against repressive political systems, and the socio-economic challenges posed by globalisation.<sup>621</sup> TCSN in Southeast Asia emerged, and have been expanding from the 1990s onwards at a time when the region was becoming increasingly linked to the global economy and various social groups – such as students, labour and farmers – were organizing themselves as part of a collective reaction against trade liberalisation.<sup>622</sup> These social groups and TCSN started to link the local

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<sup>619</sup> See Barry Buzan, *People, States and Fear: An Agenda for International Security Studies*, 2<sup>nd</sup> edition (London: Harvester Wheatsheaf, 1991); Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder: Lynne Rienner, 1998).

<sup>620</sup> The Food and Agricultural Organization of the United Nations (FAO), “World Food Summit Plan of Action,” Rome, Italy, November 1996, [http://www.fao.org/wfs/index\\_en.html](http://www.fao.org/wfs/index_en.html) [accessed on 08/03/11].

<sup>621</sup> See Dominique Caouette, “Thinking and Nurturing Transnational Activism: Global Citizen Advocacy in Southeast Asia,” *Philippine Journal of Third World Studies* 21, No. 2 (2006): 3-33; Robert H. Taylor, ed., *The Politics of Elections in Southeast Asia* (Cambridge: Cambridge University Press, 1996); Francis K. W. Loh and Joakim Öjendal, “Introduction,” in Francis K. W. Loh and Joakim Öjendal, eds., *Southeast Asian Responses to Globalization: Restructuring Governance and Deepening Democracy* (Singapore: Institute of Southeast Asian Studies, 2005), 3.

<sup>622</sup> Caouette, “Thinking and Nurturing Transnational Activism.”

problems of communities in developing countries to policies made at the global level, through international meetings of heads of state. TCSN noted the difficulties in trying to influence policies made by the major powers at the global level, and have instead focused on capacity-building to lobby Southeast Asian governments and ASEAN, and to help local communities to become more self-sufficient. TCSN became strengthened by the process of democratization in Indonesia, Malaysia, and Thailand. Moreover, they were also strengthened by the rising levels of education in these countries, which contributed to greater autonomous civic action at both the national and regional level.<sup>623</sup> For this reason, IR theorists have described these countries as “nodes of transnational activism, which provide not only the practical infrastructure required by transnational (CSO) networks, but also a political climate that is not too hostile toward civil society activism.”<sup>624</sup> Thus, democratization facilitates networking and cooperation among civil society organizations, which in turn facilitates, at the very least, discourse on national-regional linkages, if not policies to strengthen this linkage and to promote an integrated process of community building.

TCSN are significant, since they seek to promote normative change to protect human security. More specifically, they demonstrate that normative issues are not restricted to states’ foreign policies; rather, globalizing trends have now led to the promotion of normative issues “from below,” especially on human security issues, which include rural development and food security.<sup>625</sup> TCSN reflect civil society’s disillusion with the state-led path to development and modernization. They emphasize human security as an area for the institutionalization of decentralized policy-making and policy implementation.<sup>626</sup> Civil society organizations, which participate in a TCSN, seek to compensate for their

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<sup>623</sup> Daphné Josselin and William Wallace, “Non-state Actors in World Politics: A Framework,” in Daphné Josselin and William Wallace, eds., *Non-state Actors in World Politics* (New York: Palgrave, 2001).

<sup>624</sup> Piper and Uhlin, “New perspectives on transnational activism,” 14.

<sup>625</sup> Ariel Colonomos, “Non-State Actors as Moral Entrepreneurs: A Transnational Perspective on Ethics Networks,” in Daphné Josselin and William Wallace, eds., *Non-state Actors in World Politics* (New York: Palgrave, 2001), 72.

<sup>626</sup> *Ibid.*

marginalization at the national level, by pushing for policies at the regional level that would feedback into national policies. However, their success at both the national and regional level ultimately depends on their ability to alter governments' mind-set, and governments' discourse, in order to produce increasing convergence between this mind-set and discourse on the one hand, and their proposed policy alternatives on the other. Increasing convergence would be indicated by multi-level linkages in state policies, for example, an agreed regional standard on food security, and provisions for regional monitoring on each country's progress towards realizing this standard. Such multi-level linkages would facilitate community building by producing an integrated, regional approach to human security.

This chapter is divided into five sections. Section I provides an outline on the emergence of ASEAN policies on rural development and food security. The section analyses the different causes behind these policies and the extent to which these policies provide a basis for multi-level linkages. Section II explains the prospects and challenges for TCSN to advance community building based on the existent literature. Section III introduces, and explains the selection of TCSN on rural development and food security, and analyses how they have thus far contributed to ASEAN community building. Section IV provides explanations for TCSN's lack of impact on ASEAN policies. Finally, section V concludes on the factors that have been most prevalent in the emergence of ASEAN's policies on rural development and food security, and what changes need to take place in order for TCSN to have a greater impact and for more people-centred regionalism, and multi-level linkages, to develop.



## I. ASEAN Policies on Rural Development and Food Security: Providing the Basis for Multi-Level Linkage?

The majority of the founding member states of ASEAN – Indonesia, Malaysia, the Philippines, and Thailand – have strong socio-economic incentives to support rural development and food security. These countries depend on the agricultural sector as a major source of gross domestic product (GDP), and also have a high population density in the rural areas.<sup>627</sup> Most of the rural population in these countries depend on agriculture for their livelihood.<sup>628</sup> As such, ASEAN member states prioritized agricultural cooperation since as early as 1968, as part of the broader aim to accelerate national and regional economic development.<sup>629</sup> Before then, rural development was assigned a low priority in the development strategies of most Asian countries, especially in the 1950s and early 1960s, due to the West's legacy of equating economic development with an industrial revolution. This resulted in the imbalanced economic development between the industrial, urban areas, and the agricultural, rural areas: a trend which continued into the period from 1970-1994.<sup>630</sup> At the same time, rural population growth and low agricultural productivity led to the socio-economic problems of underemployment, unemployment, and poverty. ASEAN cooperation to remedy this situation mainly focused on strengthening the capability for agricultural development through an exchange of knowledge and experiences, rather than giving a

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<sup>627</sup> Rina Oktaviani and Eka Puspitiawati Haryadi, "Impacts of ASEAN Agricultural Trade Liberalization on ASEAN-6 Economies and Income Distribution in Indonesia," *Asia-Pacific Research and Training Network on Trade Working Paper Series*, No. 51 (January 2008): 5-36; ASEAN Secretariat, "Country Statistics Profile," <http://www.aseansec.org/22122.htm> [accessed on 17/08/11].

<sup>628</sup> John Wong, *ASEAN Economics in Perspective: A Comparative Study of Indonesia, Malaysia, The Philippines, Singapore & Thailand* (London: Macmillan, 1980), 93; Mya Than, "Food Security in ASEAN," in Mya Than, ed., *ASEAN Beyond the Regional Crisis: Challenges and Initiatives* (Singapore: ISEAS, 2001), 149; Azmi Mat Akhir (Special Assistant to the ASEAN Secretary-General on Institutional Affairs and Special Duties), "ASEAN and Agriculture," Paper presented at the "Regional Conference on Civil Society Engagement in the ASEAN," 3 – 5 October 2005, Bangkok, Thailand, 74-75, 88; Peter Timmer, "Fostering Food Security through Regional Cooperation and Integration: The Changing Role of Rice in Asia," 30 June 2010, <http://www.scribd.com/doc/34090503/P-Timmer-Fostering-Food-Security-Through-Regional-Cooperation-and-Integration> [accessed on 22/08/11].

<sup>629</sup> Akhir, "ASEAN and Agriculture," 81.

<sup>630</sup> Than, "Food Security in ASEAN," 153.

political voice to rural communities, and extending the democratization process beyond the national capitals and urban cities.<sup>631</sup> Moreover, ASEAN cooperation on rural development was limited to interactions between civil servants across the region, rather than inclusive of the main actors in agricultural activities, that is, small-holders who live in rural areas.<sup>632</sup>

Given that the agricultural sector is important for economic livelihoods in the majority of ASEAN member states, they initiated a regional discourse on the possibility of creating a regional approach to rural development and food security, which would provide the basis for multi-level linkage in this area. In 1980, the ASEAN Economic Ministers' Committee on Food, Agriculture and Forestry approved the establishment of an ASEAN Agricultural Development Planning Centre, which subsequently received funding from the U.S.<sup>633</sup> Although the Center focused mainly on the training of civil servants in agricultural development planning at the national level, it did introduce an intergovernmental discourse, and objectives to realize a regional approach to rural development and food security. The "Declaration of Objectives Regarding The ASEAN Agricultural Development Planning Centre" includes aims

- To submit proposals for the harmonisation of ASEAN agricultural development planning methodologies.
- To serve as a regional data bank for requisite agricultural development planning information.
- To undertake studies and make recommendations on ASEAN agricultural policies on the basis of which ASEAN common agricultural policy (ACAP) in selected areas may be formulated.<sup>634</sup>

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<sup>631</sup> ASEAN Secretariat, "Declaration of objectives regarding the ASEAN Agricultural Development Planning Centre," Chiangmai, 21 February 1980, <http://www.aseansec.org/1319.htm> [accessed on 17/08/11].

<sup>632</sup> The categorization of "small-holders who live in rural areas" is derived from Oktaviani and Haryadi, "Impacts of ASEAN Agricultural Trade Liberalization on ASEAN-6 Economies and Income Distribution in Indonesia."

<sup>633</sup> See Michael T. Rock et al., "Evaluation of ASEAN Agricultural Development Planning Center," 1985, [http://pdf.usaid.gov/pdf\\_docs/PDAA5122.pdf](http://pdf.usaid.gov/pdf_docs/PDAA5122.pdf) [accessed on 29/11/11].

<sup>634</sup> ASEAN Secretariat, "Declaration Of Objectives Regarding The ASEAN Agricultural Development Planning Centre."

An evaluation of the ASEAN Agricultural Development Planning Centre by civil servants in 1985 revealed that the Centre's training programmes had been successful and that there was an added benefit of the exchange of experiences and "camaraderie" between participants from the original ASEAN member states: Indonesia, Malaysia, the Philippines, Singapore and Thailand.<sup>635</sup> However, while the Centre provided a platform for ASEAN civil servants to be socialized into an ASEAN mind-set, civil servants who evaluated the Centre's achievements found that the planning "suffered from the lack of a centralising rationale," and that the Centre lacked visibility in ASEAN, and, thus, significance in ASEAN regionalism.<sup>636</sup> Moreover, the evaluation concluded that the Centre ultimately had "limited" policy impact.<sup>637</sup> Nevertheless, the establishment and activities of the Centre demonstrate that ASEAN member states have provided for an integrated regional approach to rural development and food security since the 1960-1980s, and that this was not a new idea that was presented to them by TCSN from the 1980s onwards; rather, TCSN built on existing intergovernmental discourse on an integrated, regional developmental approach, and expanded this discourse to include democratization and participatory regionalism.

The post-Cold War period saw efforts by ASEAN member states to maintain ASEAN relevance, especially after the Asian Financial Crisis in 1997, and to demonstrate that ASEAN is a responsible member of the international community: these efforts included further cooperation in the broad area of human security, as well as openings for the participation of non-state actors in research and policy implementation. In August 2008, the ASEAN Ministers of Agriculture and Forestry discussed the concept of an ASEAN Integrated Food Security (AIFS) Framework, which consists of information sharing to

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<sup>635</sup> Rock et al., "Evaluation of ASEAN Agricultural Development Planning Center."

<sup>636</sup> Ibid.

<sup>637</sup> Ibid.

produce a long-term agricultural development plan.<sup>638</sup> More importantly, the Framework includes cooperation between ASEAN civil servants and non-state actors, such as scholars and farmers, in terms of how to improve agricultural productivity, and how to manage access to natural resources, respectively. In this regard, the Framework reflected the trend in ASEAN regionalism to provide openings for non-state actors' participation, and to enable them to become regional stakeholders. Moreover, the timing of the Framework in 2008 is significant, since ASEAN member states were just finalizing the ASEAN Charter, which includes the aim to realize a "people-oriented" ASEAN Community. The realization of such a community includes provisions for human security in general, and food security in particular. For this reason, the ASEAN Ministers on Agriculture and Forestry saw the need to strengthen the ASEAN Integrated Food Security (AIFS) Framework, by establishing an ad-hoc task force to produce a Strategic Plan of Action on Food Security for the ASEAN Region (SPA-FS). This Strategic Plan of Action is of a functional nature, and mainly focuses on national capacity-building, as building blocks for regional food security. The Plan consists of five main objectives: 1) to strengthen food security at the national level; 2) to promote the food market and trade; 3) to strengthen integrated food security information systems to effectively forecast, plan and monitor supplies and utilization for basic food commodities; 4) to promote sustainable food production; and, 5) to encourage greater investment in food and agro-based industry.<sup>639</sup> Although it is too early to assess the significance of the ASEAN Integrated Food Security (AIFS) Framework and the Strategic Plan, and although a review by ASEAN officials is not planned till the end of the first five year cycle in 2013, one can argue that the Framework and Strategic Plan are significant for at least two reasons. First, it maintains an ASEAN discourse, and promotes ASEAN cooperation, on a human security issue, that is,

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<sup>638</sup> ASEAN Secretariat, "ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013," <http://www.aseansec.org/22338.pdf> [accessed on 23/03/11].

<sup>639</sup> Ibid.

rural development and food security. Second, it facilitates the shift towards people-centred regionalism by including cooperation with non-state actors, such as scholars and farmers. This indicates a widening of ASEAN regionalism beyond state actors, which should, theoretically, facilitate TCSN's efforts to promote multi-level linkage and to influence ASEAN policies.

This section will firstly analyse the external and internal motivating factors behind ASEAN policies on rural development and food security, which constitute alternative explanations for their development, other than the role of TCSN. The section will then analyse how these ASEAN policies have the potential to facilitate the shift towards more people-centred regionalism, or what is already out there for TCSN to work on.

#### *External Motivating Factors*

In the early years after ASEAN's formation, from 1967 to the 1970s, the main external motivating factor for promoting development in general, and rural development and food security in particular, was the threat of people joining a communist insurgency and overthrowing the political regime. Most ASEAN member states were already preoccupied with consolidating their nation state after independence from the colonial powers, and realized the additional urgency of providing for people's welfare to prevent them from turning to communism. Moreover, ASEAN member states were motivated to accelerate economic development and to become self-sufficient after facing economic threats from the US' unilateral trade policies, for example, the US embargo on soybeans.<sup>640</sup> With regard to regional cooperation on food supplies, it is the ASEAN Ministers of Agriculture and Forestry

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<sup>640</sup> Rodney Tyers, "Food Security in ASEAN: Potential Impacts of a Pacific Economic Community," *Malayan Economic Review* 27, No. 2 (Oct., 1982): 42-43.

(AMAF), which oversee the strengthening of food security in the region.<sup>641</sup> The work of these ministers is facilitated by the ASEAN Committee on Food, Agriculture and Forestry (COFAF) and its Working Group, which initiated a system of regionally coordinated national reserves for rice, and a system for information exchange on these reserves, in 1978. These systems constitute the foundation for regional cooperation on food security within the ASEAN framework. They were strengthened by the establishment of an intergovernmental ASEAN Food Security Reserve Board (AFRSB) that same year, which includes coordination of periodic information exchange on food, analyses on the policies required for minimum food security, and assessment of the ASEAN Emergency Rice Reserves (AERR).<sup>642</sup> Thus, ASEAN cooperation on food security was primarily of a functional nature, and involved state actors and bureaucrats from the related government ministries, while excluding rural communities and civil society.

Towards the end of the Cold War, new economic threats emerged and stimulated ASEAN integration, as well as expanded areas for regional cooperation. These economic threats include the socio-economic challenges posed by globalisation and the proliferation of economic frameworks (e.g. the Asia-Pacific Economic Cooperation Forum, APEC, in 1989), which could marginalize Southeast Asia's interests. They stimulated an agreement on a common effective preferential tariff scheme, for an ASEAN Free Trade Area in 1992; and motivated further cooperation on food security, due to the region's vulnerability to the policies of industrialised net food importing countries: Japan, South Korea, and the then European Economic Community.<sup>643</sup> In its plan to develop an ASEAN Free Trade Area, the ASEAN Secretariat reaffirmed and strengthened functional cooperation on food security

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<sup>641</sup> See Amelia L. Bello, "Ensuring Food Security – A Case for ASEAN Integration," *Asian Journal of Agriculture and Development* 2, Nos. 1 & 2 (2005): 87-108.

<sup>642</sup> The ASEAN Food Security Reserve Board came into force in 1980 when its Secretariat Office was established in Thailand. See Than, "Food Security in ASEAN," 168-169.

<sup>643</sup> Tyers, "Food Security in ASEAN," 47.

through the improvement of intergovernmental information exchange, and research training for civil servants.<sup>644</sup> Moreover, ASEAN member states also indicated their aspiration to reach international standards on food security cooperation, by requesting the United Nations Food and Agriculture Organization to provide technical assistance in the development of a regional food data and information system in 1996. In response, the Food and Agriculture organization organized a meeting for the establishment of a Regional Security Information System for ASEAN, but found that there was a lack of comprehensive statistical information.<sup>645</sup> In any case, ASEAN cooperation on food security and their request to the UN, indicates the importance given to food security and, thus, the high probability of ASEAN member states' willingness to discuss, and to cooperate with other regional actors on this issue.

ASEAN member states were motivated to increase their cooperation on human security in order to participate in the international trend of promoting social development and poverty eradication, and thereby consolidate their membership in the international community. Their awareness of the trend in international agreements is reflected in the "Ministerial Understanding on ASEAN Cooperation in Rural Development and Poverty Eradication," which mentions, for example, the 1992 Rio Declaration on Environment and Development, the 1996 Rome Declaration on World Food Security, and the United Nations Millennium Development Goals.<sup>646</sup> ASEAN member states have expressed their commitment to international agreements which are related to food security, and their aim to review ASEAN frameworks on this issue. However, this does not necessarily mean that any developments or improvements will be made. For example, at the 2<sup>nd</sup> ASEAN-UN Summit in

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<sup>644</sup> See ASEAN Secretariat, "Programme of Action for ASEAN Cooperation in Food, Agriculture and Forestry (1995-1999)," <http://www.asean.org/6183.htm> [accessed on 18/08/11].

<sup>645</sup> Than, "Food Security in ASEAN," 169-170.

<sup>646</sup> See ASEAN Secretariat, "Ministerial Understanding on ASEAN Cooperation in Rural Development and Poverty Eradication," Subang Jaya, Malaysia, 23 October 1997, <http://www.aseansec.org/20320.htm> [accessed on 05/04/11]; ASEAN Secretariat, "Joint Communiqué of the 4<sup>th</sup> ASEAN Ministers on Rural Development and Poverty Eradication," Singapore, 7 October 2004, <http://www.aseansec.org/20312.htm> [accessed on 05/04/11].

2005, ASEAN leaders committed themselves to the Millennium Development Goals, and tasked their senior officials to accelerate the realization of these goals in ASEAN by reviewing the Framework Action Plan on Rural Development and Poverty Eradication (2004-2010).<sup>647</sup> Thus, they can continue to demonstrate their action plans in this area to the international community, without actually implementing them, or expanding them beyond intergovernmental, functional cooperation.

Subsequent ASEAN statements and frameworks on food security similarly appeared to be a reaction to external factors; however, they were different in that they started to include cooperation with other regional actors, such as scholars and farmers. In the most recent ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013, ASEAN member states explained that these new policies were a reaction against the sharp increase in international food prices in 2007/2008, which raised concerns on the subsequent socio-economic impact on the region.<sup>648</sup> The rise in food prices highlighted how little long-term strategic planning had gone into policy-making on the production of rice, and rice supplies, as well as the relationship between rice supplies and food security at both the national and regional level; this demonstrates the failure of previous attempts by ASEAN governments to coordinate policies, and, thus, to create multi-level linkage in the area of food security.<sup>649</sup> The inclusion of other regional actors in the ASEAN Integrated Food Security (AIFS) Framework identifies them as fellow regional stakeholders, and provides an opening for more people-centred regionalism. However, ASEAN leaders, as a whole, are more likely to agree on cooperation with academia, in terms of research, rather than cooperation with civil society, for fear that the latter will bring up

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<sup>647</sup> ASEAN Secretariat, "Joint Communiqué The Fifth ASEAN Ministers Meeting on Rural Development and Poverty Eradication," 31 January 2007, Bangkok, <http://www.aseansec.org/19453.pdf> [accessed on 05/04/11].

<sup>648</sup> ASEAN Secretariat, "ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013."

<sup>649</sup> Timmer, "Fostering Food Security through Regional Cooperation and Integration."



domestic political issues.<sup>650</sup> For this reason, cooperation with academia in research may be mentioned by state leaders, but cooperation with civil society remains a politically contentious and sensitive issue. As a result, there is a lack of intergovernmental discussion on cooperation with civil society, which has a negative impact on community building, since it reduces the probability of such cooperation becoming a habit, or norm. Nevertheless, the omission of civil society makes it easier for ASEAN leaders to promote the development of current policies without running into opposition from other member states. For example, at the 18<sup>th</sup> ASEAN Summit in July 2011, Indonesian President Susilo Bambang Yudhoyono emphasized the need for an integrated ASEAN food security framework to address the anticipated global decline in food supply: the proposed framework would strengthen research and development, as well as investment in food security.<sup>651</sup> As such, it did not include civil society, but provided for the role of academia in research, and for more resources being directed towards a human security issue.

### *Internal Motivating Factors*

External factors aside, ASEAN member states have always paid great attention to the security and accessibility of food supplies due to their prioritization of socio-economic development. In economic terms, food consumption constitutes a large share of the household budget, especially in Indonesia, Malaysia, the Philippines and Thailand, where the government's stabilization of food prices has helped to restrict wage growth while boosting industrial development.<sup>652</sup> The governments of these countries sought to stabilize food markets, with a particular focus on rice: the most important staple food in Southeast Asia. In

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<sup>650</sup> Diplomat who wishes to remain anonymous 1, interview by author, note taking and recording. Ministry of Foreign Affairs, Thailand, 1 June 2010.

<sup>651</sup> Adianto P. Simamora, "ASEAN needs food security framework," 5 July 2011, <http://www.thejakartapost.com/news/2011/05/07/asean-needs-food-security-framework.html> [accessed on 22/08/11].

<sup>652</sup> Tyers, "Food Security in ASEAN," 43.

this endeavour, some of them established specialized state agencies to manage rice and trade distribution.<sup>653</sup> Thus, food security was prioritized at the national level, and was later extended to the regional level when ASEAN member states identified their common interest and shared vulnerability to external threats in this area.

The Asian Financial Crisis in 1997 highlighted ASEAN member states' shared vulnerability to rapid economic development, and their common interest in resolving the crisis and restoring socio-economic security, including food security. In October 1997, the ASEAN Ministers on Rural Development and Poverty Eradication noted the socio-economic disparities between the urban and rural communities, due to inadequate employment opportunities in the latter area. In response to this divide and social problems of unemployment, the Ministers aimed to provide adequate employment opportunities to minimize the rural-to-urban migration, and to promote the development of self-reliant rural communities.<sup>654</sup> In this endeavour, the ASEAN Senior Officials on Rural Development and Poverty Eradication agreed on many activities in 1998, which focused on capacity-building at the national level, thereby continuing the trend in ASEAN regionalism to prioritize the strengthening of the nation-state, in the belief that this will lead to a strengthened ASEAN as a whole. The agreed activities were of a functional nature, rather than a political one, that would give voice to rural communities on ASEAN policies. These activities include the provision of assistance and relief programmes for vulnerable and disadvantaged people, as well as the provision of information on the social impact of the Asian Financial Crisis to support ASEAN programmes.<sup>655</sup> ASEAN member states' response to the Financial Crisis was motivated by concerns over regime security, should there be a political and social backlash

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<sup>653</sup> These include the National Logistics Agency (BULOG) in Indonesia, the National Rice and Paddy Authority (LPN) in Malaysia, and the National Grains Authority (later renamed the National Food Authority – NFA) in the Philippines. See Ibid; Bello, "Ensuring Food Security."

<sup>654</sup> ASEAN Secretariat, "Ministerial Understanding on ASEAN Cooperation in Rural Development and Poverty Eradication," Subang Jaya, Malaysia, 23 October 1997, <http://www.asean.org/8461.htm> [accessed on 05/04/11].

<sup>655</sup> ASEAN Secretariat, "ASEAN Action Plan on Social Safety Nets," Kuala Lumpur, Malaysia, October 1998, <http://www.asean.org/8464.htm> [accessed on 01/12/11].

against a lack of remedies, and ineffective solutions. This was particularly the case after food shortages in Indonesia exacerbated the domestic political crisis, which led to President Suharto's resignation in 1998. Indonesia experienced food shortages due to the drought caused by the *El Nino* weather phenomenon. Moreover, Indonesia was also confronted with the problems of economic collapse and major civil unrest, which disrupted food distribution channels. The economic collapse led to growing unemployment, which undermined the purchasing power of large segments of the population, and their ability to buy, or to have access to food.<sup>656</sup> In addition, a weak and ineffective government further threatened Indonesia's food security. President Suharto's downfall was ultimately precipitated by society's lack of confidence in the government's ability to solve the nation's economic problems.<sup>657</sup> This downfall arguably made other ASEAN leaders more acutely aware of the need to accelerate the region's economic recovery, including provisions for food security.

Within Southeast Asia, scholars evaluated the region's economic recovery, and called on ASEAN to promote regional cooperation on human security. For example, in November 1999, the Institute of Southeast Asian Studies, in Singapore, organized an ASEAN Roundtable on "ASEAN Beyond the Regional Crisis: Challenges and Initiatives," to encourage discussions between ASEAN policy-makers, academia, businessmen, and the media. Scholars proposed development policies, which included a political and social dimension, namely, democratization, social development, an agricultural and rural development policy, measures for poverty alleviation, as well as environmental control.<sup>658</sup>

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<sup>656</sup> "Food Security and Political Stability in the Asia-Pacific Region," Seminar at the Asia-Pacific Center for Security Studies, Honolulu, Hawaii, 11 September 1998, [http://www.apcss.org/Publications/Report\\_Food\\_Security\\_98.html](http://www.apcss.org/Publications/Report_Food_Security_98.html) [accessed on 02/12/11].

<sup>657</sup> See Stefan Eklöf, *Power and political culture in Suharto's Indonesia: the Indonesian Democratic Party (PDI) and decline of the new order (1986-98)* (Copenhagen: NIAS, 2003); Paul J. Carnegie, *The road from authoritarianism to democratization in Indonesia* (New York: Palgrave Macmillan, 2010).

<sup>658</sup> See Wing Thye Woo, "East Asia: Crisis and Recovery," in Mya Than, ed., *ASEAN Beyond the Regional Crisis: Challenges and Initiatives* (Singapore: ISEAS, 2001); Than, "Food Security in ASEAN"; Simon S.C. Tay, "ASEAN Cooperation and the Environment," in Mya Than, ed., *ASEAN Beyond the Regional Crisis: Challenges and Initiatives* (Singapore: ISEAS, 2001); Mahani Zainal Abidin, "ASEAN and Its Inter-Regional

These proposals, in addition to the Asian Financial Crisis and the change of regime in Indonesia, provided further motivating factors for ASEAN member states to, at the very least, recognize the importance of democratization and human security in their statements, and to pave the way for their implementation.

*The Asian Financial Crisis and Regime Security: Catalysts for more People-Centred Regionalism*

In the aftermath of the Asian Financial Crisis, ASEAN member states sought to protect their political regime by raising awareness on efforts to boost economic recovery, through social outreach and involvement of society in government programmes. ASEAN member states decentralized efforts for economic recovery and provided an opening for people-centred regionalism in three ways: first, by recognizing that the participation of rural communities plays a critical role in development; second, by supporting human resource development; and, third, by encouraging regional networking among civil society organizations (CSOs).<sup>659</sup> These three elements are significant, since they demonstrate the application of a human security concept in ASEAN discourse, in terms of introducing a social dimension to the region's economic development, strengthening society's employment opportunities, and promoting social support networks. ASEAN member states came to identify rural communities as facilitators in the implementation of ASEAN policies. For example, they recognize that the rural population "plays a critical role in rural development within the framework of national development strategy, structure and system of ASEAN countries," and that they provide a "strong foundation for pursuing economic and social

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Economic Links," in Mya Than, ed., *ASEAN Beyond the Regional Crisis: Challenges and Initiatives* (Singapore: ISEAS, 2001).

<sup>659</sup> ASEAN Secretariat, "Ministerial Understanding on ASEAN Cooperation in Rural Development and Poverty Eradication."

recovery.”<sup>660</sup> With regard to CSOs, ASEAN member states delegated them the task of “facilitating and intensifying local community and/or local government roles in social safety and protection.”<sup>661</sup> Moreover, they have encouraged functional cooperation between states and CSOs in rural development and poverty eradication.<sup>662</sup> Thus, ASEAN member states have provided a foundation for more people-centred regionalism by including other regional actors in the implementation of ASEAN policies. However, they have not provided a political-institutional space within the ASEAN framework in which states and other regional actors can discuss policies. This means that CSOs, whether individually or collectively as a transnational civil society network, are limited to the role of facilitator, in terms of implementing policies that have been agreed on by states. As such, CSOs seek to convince ASEAN member states that they have wide regional membership, regional outreach, and regional knowledge: qualities which ASEAN member states should take into consideration, in order to give CSOs a bigger role in regionalism, especially as a fellow policy-maker.<sup>663</sup>

## II. Transnational Civil Society Networks (TCSN) and Community Building

In theory, transnational civil society networks (TCSN) are expected to advance community building in three ways.<sup>664</sup> First, they are expected to advance community building through social mobilization and networking. This involves the provision of an organizational

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<sup>660</sup> Ibid.; ASEAN Secretariat, “Joint Communiqué of the 2<sup>nd</sup> Meeting of the ASEAN Ministers on Rural Development and Poverty Eradication,” Manila, 19 February 2000, <http://www.aseansec.org/20310.htm> [accessed on 05/04/11].

<sup>661</sup> ASEAN Secretariat, “Framework Action Plan on Rural Development and Poverty Eradication (2004-2010),” <http://www.aseansec.org/13187.htm> [accessed on 05/03/11].

<sup>662</sup> ASEAN Secretariat, “Ministerial Understanding on ASEAN Cooperation in Rural Development and Poverty Eradication”; see also ASEAN Secretariat, “Joint Communiqué of the 2<sup>nd</sup> Meeting of the ASEAN Ministers on Rural Development and Poverty Eradication”; ASEAN Secretariat, “Joint Communiqué of Third Meeting of the ASEAN Ministers on Rural Development and Poverty Eradication,” 16 December 2002, Siem Reap, Cambodia, <http://www.aseansec.org/20312.htm> [accessed on 05/04/11].

<sup>663</sup> See, for example, “AFA [The Asian Farmers Association for Sustainable Rural Development] pushes rural development agenda in ASEAN,” 18 August 2011, <http://asianfarmers.org/?p=1640#more-1640> [accessed on 02/12/11].

<sup>664</sup> See Risse-Kappen, *Bringing Transnational Relations Back In*; Tarrow, *The New Transnational Activism*; Jeffrey A. Frieden, David A. Lake, and Kenneth A. Schulz, *World Politics: Interests, Interactions, Institutions* (London: W.W. Norton & Company, 2010), Chapter 10.

site through which civil society organizations may discuss human security issues, coordinate an agenda for regional advocacy, and together exert social pressure on states for new policies. TCSN organize regional workshops on human security, and, in doing so, consolidate their institutional and material presence, as well as a vital political space to promote people-centred regionalism.<sup>665</sup> Second, TCSN can advance community building through innovation, that is, the provision of new knowledge or the introduction of new norms, which leads to widened and deepened regional cooperation in human security. In addition, TCSN are also expected to develop their expertise on human security issues, so that they may establish themselves as epistemic communities, and so that regional governments may deem them worthy of consultation in the policy-making process. An epistemic community is defined as “a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area.”<sup>666</sup> According to IR theorist, Peter Haas, the provision of knowledge and information by these networks can lead to new patterns of inter-state behaviour, which facilitates international policy coordination.<sup>667</sup> Moreover, it is argued that the role of networks is to promote discussions and negotiations between states, and between states and civil society organizations, on new policies to address regional issues. These policies would then contribute to community building by indicating an additional area in which there is a common regional position, and thus a regional identity. Third, TCSN can advance community building through the creation of multi-level linkages, and through their “communicative power.”<sup>668</sup> TCSN protect local interests by proposing new policies at the national and regional level, linking policies at these two levels, and raising awareness on the

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<sup>665</sup> Thomas Perreault, “Changing places: transnational networks, ethnic politics, and community development in the Ecuadorian Amazon,” *Political Geography* 22 (2003): 71.

<sup>666</sup> Peter M. Haas, “Introduction: Epistemic Communities and International Policy Coordination,” *International Organization* 46, No. 1 (Winter 1992): 2-3.

<sup>667</sup> Ibid.

<sup>668</sup> John S. Drysek, “Transnational Democracy,” *Journal of Political Philosophy* 7, No. 1 (1999): 44.45.

benefits of multi-level policy linkage for a strengthened, integrated, regional approach to human security. TCSN's "communicative power" is also intended to promote human security, and has been defined by IR theorists Meredith Weiss and John Drysek, as constituting a discourse that gives voice to oppressed and/or marginalized people.<sup>669</sup> TCSN provide the opportunity for these people to have a strengthened political voice at multiple levels – national, regional and international – due to the increased number of supporters from other civil society organizations in the region. Finally, by bringing together similar-minded civil society organizations and providing an organizational site for their joint regional advocacy, TCSN are expected to increase their visibility vis-à-vis states, to facilitate their recognition by state actors and interactions between them, and, thus, to increase their chances of becoming a new actor within ASEAN regionalism.

### *Innovation*

TCSN not only seek inclusion in regional community building, but also seek to redefine community building, more specifically, states' minimalist interpretation of participatory regionalism and human security, by introducing new knowledge and norms. In this regard, one could describe their role as a struggle for "interpretative power."<sup>670</sup> TCSN seek "interpretative power" to emphasize the aspect of multi-level linkage in regional community building. They do so by strengthening themselves as an epistemic community, or a network of professionals with policy-relevant knowledge. However, their proposals may become circumscribed by states' co-option and state-centred interpretation. Scholars who adopt the epistemic communities approach, such as Haas, argue that members of a

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<sup>669</sup> Ibid; Meredith L. Weiss, "Civil Society in a Re-Conceptualized Southeast Asian Security Environment," in Hari Singh and Colin Dürkop, eds., *Comprehensive Security in the Asia-Pacific Region* (Seoul: Konrad Adenauer Stiftung, 2010).

<sup>670</sup> This term is derived from Jean Franco, "Defrocking the Vatican: Feminism's Secular Project," in Sonia E. Alvarez, Evelina Dagnino, and Arturo Escobar, eds., *Cultures of Politics, Politics of Cultures: Re-Visioning Latin American Social Movements* (Oxford: Westview Press, 1998).

transnational epistemic community can influence state interests either by identifying them for decision makers, or highlighting the main points of an issue so that decision makers can deliberate whether or not the issue is in their interest. Decision makers in one state may then influence the interests and behaviour of other states, thereby increasing the likelihood of convergent state behaviour and international policy coordination, based on the causal beliefs and policy preferences of an epistemic community. In this regard, an epistemic community may influence cooperation on a particular issue even when there are no systemic threats of power to force states into coordinating their behaviour. By focusing on different means through which ideas and information are diffused and considered by decision makers, Haas observes that the epistemic communities approach provides a non-systemic origin for state interests and identifies a process for long-term cooperation independent of the distribution of power in the international system. The approach is said to supplement structural theories of international behaviour by arguing that states respond to new knowledge provided by epistemic communities and, as a result, may decide to pursue completely new objectives. If new state policies can be influenced by the provision of new knowledge, rather than power, TCSN have a higher chance of linking local, national, and regional policies, and of influencing states to provide for more participatory regionalism. Thus, TCSN can advance community building if ASEAN member states give importance to their knowledge, and include it in the ASEAN discourse for consideration, prior to policy-making.

#### *Multi-Level Linkages and Communicative Power*

TCSN provide a space for socialization between their member civil society organizations, by promoting social interactions, and enabling their members to build, and to



reinforce a common identity, based on shared norms, values, and objectives.<sup>671</sup> By organizing regular activities, TCSN “embed” their members within the network, in terms of strengthening their network identity, and developing a regional consciousness on a specific human security issue.<sup>672</sup> As civil society organizations within a TCSN become more socialized into a regional mind-set, and identify closely with a regional agenda, they will more likely try to engage with regional states to promote this agenda, and, thus, contribute to the shift towards people-centred regionalism. Moreover, these socialized civil society organizations are also more likely to promote a sense of regional solidarity and regional community, in addition to their domestic activities. In this regard, they have the potential to act as “social brokers” by reaching out to civil society organizations in other TCSN, and recruiting their support for the proposed regional agenda.<sup>673</sup> TCSN’s policy proposals are legitimized by their member civil society organizations’ relationship with, and representation of local communities. Finally, TCSN’s regional networking, multi-level linkage, and regional advocacy contribute to community building, since they constitute horizontal and integrative processes, as opposed to the vertical and sectoral nature of states’ policy-making.

### *Limitations to the Role of TCSN*

Civil society organizations in different ASEAN member states will have different levels of political influence, depending on the extent of democratization at the domestic level, the extent of their membership and supporters, as well as the social status of their individual members, for example, whether they include members of the elite.<sup>674</sup> Moreover, their role

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<sup>671</sup> See Florence Passy, “Social Networks Matter. But How?” in Mario Diani and Doug McAdam, eds., *Social Movements and Networks: Relational Approaches to Collective Action* (Oxford: Oxford University Press, 2003).

<sup>672</sup> The concept of “embeddedness” in networks is derived from *ibid.*

<sup>673</sup> The use of the term “social broker” for networks is derived from Mario Diani, “‘Leaders’ or Brokers? Positions and Influence in Social Movement Networks,” in Mario Diani and Doug McAdam, eds., *Social Movements and Networks: Relational Approaches to Collective Action* (Oxford: Oxford University Press, 2003), 107.

<sup>674</sup> Josselin and Wallace, “Non-state Actors in World Politics,” 13.

within a TCSN is limited by both factors at the national level (e.g. repressive political systems) and factors at the regional level (e.g. highly centralized regional institutions), which make it difficult to coordinate and to promote an agenda for regional advocacy. Within a TCSN, there are internal challenges over how to distribute resources between activities at the local, national, and regional levels, without compromising the effectiveness of any of them; in addition, members of a TCSN will also need to reach a consensus on whether they should focus on mobilization-driven advocacy, or more long-term campaigns, such as capacity-building.<sup>675</sup> More importantly, civil society organizations do not have as much resources at their disposal as states, and are thus more restricted in the scale and outreach of their activities. At times, this means that they will lack funding to organize events, or to travel and meet state actors at international conferences. As observed by Weiss:

CSOs [civil society organizations] enjoy a wider ambit than state actors compelled to respect diplomatic imperatives, yet may have limited concrete resources or options beyond communications networks, discursive and information-based strategies, and other tools of soft power. States retain coercive power as well as diplomatic levers and hence, the upper hand.<sup>676</sup>

Thus, civil society organizations may participate in a TCSN, not so much to push for new state policies, but rather to create mutual support and self-sufficient networks; and to put forward their own alternative process of regional community building. In this way, they contribute towards people-centred regionalism, by challenging the singular state-based interpretation of regional community building, and offering plural perspectives from society.

Regional states may introduce cooperation with TCSN on policy-implementation in order to downplay their divergent interests, and to mitigate the cost of any adversarial

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<sup>675</sup> See Caouette, "Thinking and Nurturing Transnational Activism," 26.

<sup>676</sup> Weiss, "Civil Society in a Re-Conceptualized Southeast Asian Security Environment," 98.

relations.<sup>677</sup> In this regard, cooperation on policy-implementation can be interpreted as the minimum concession, and the minimum form of multi-level linkage, in terms of transferring accountability, expectations, and practices across the local, national and regional levels. More specifically, states seek to strengthen their accountability by including local communities in policy-implementation, thereby implying, and socially constructing, their support for the policy. At the same time, states communicate and share the expected outcomes of regional policies with local communities, and engage them in dialogue to discuss best practices. The outcome of these discussions may then be shared, and improved, with regional counterparts. Based on social movement theory, state-TCSN cooperation is expected to lead to states' "co-optation" and "de-radicalization" of TCSN's discourse and advocacy.<sup>678</sup> As such, states can continue to implement regional policies to their own liking at the national level, and not commit themselves to a regional standard. Rather, they can continue their traditional practice of making provisions for sharing knowledge, and the possibility of a regional standard being negotiated. In this way, they can provide for multi-level linkage, without actually seeing it through till the end.

### III. TCSN on Rural Development and Food Security: Creating Multi-Level Linkages in both Discourse and Policy?

This section provides the background to transnational civil society networks (TCSN), which work on rural development and food security, and which lobby ASEAN governments for new policies. The section demonstrates the current and potential role of TCSN in ASEAN community building, in terms of facilitating the convergence of aims among regional civil society organizations (CSOs), strengthening themselves as epistemic communities to be

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<sup>677</sup> Christopher Ansell, "Community Embeddedness and Collaborative Governance in the San Francisco Bay Area Environmental Movement," in Mario Diani and Doug McAdam, eds., *Social Movements and Networks: Relational Approaches to Collective Action* (Oxford: Oxford University Press, 2003), 123.

<sup>678</sup> See Robert Michels, *Political Parties* (New York: Dover, 1959); Frances F. Piven and Richard A. Cloward, *Poor People's Movements* (New York: Vintage, 1977).

consulted in ASEAN policy-making, and creating multi-level linkages in both discourse and policy.

The ASEAN “Framework Action Plan on Rural Development and Poverty Eradication (2004-2010)” referred to a TCSN, the Asian Partnership for the Development of Human Resources in Rural Asia (AsiaDHRRA), which has been affiliated to ASEAN since May 2004. More specifically, the Framework Action Plan seeks to promote closer coordination between the ASEAN Senior Officials on Rural Development and Poverty Eradication, and “regional organisations that share ASEAN’s priorities for rural development and poverty reduction.”<sup>679</sup> This implies that policies are solely determined by ASEAN governments, and that other regional actors are invited to play a facilitating role in the realization of these policies. Nevertheless, despite this limited opening into ASEAN regionalism, the AsiaDHRRA was motivated to become affiliated to ASEAN for two main reasons: first, to promote people-centred, rural development, with a focus on the poor and marginalized; second, to receive institutional backing from ASEAN to showcase their activities in rural development.<sup>680</sup> For ASEAN, the affiliation of such TCSN is a means to raise awareness and to consolidate the ASEAN identity among society. The AsiaDHRRA initiated meetings with officials from the ASEAN Secretariat as means to promote confidence building. Moreover, it encouraged other TCSN, such as the Asian Farmers Association for Sustainable Development (AFA), to similarly engage with ASEAN, in order to gain ASEAN states’ recognition, invitation to events organized by the ASEAN Secretariat, and, thus, opportunities to interact with, and to influence ASEAN officials. For example, in April 2007, ASEAN Secretary-General Ong Keng Yong invited both the AsiaDHRRA and AFA to a

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<sup>679</sup> ASEAN Secretariat, “Framework Action Plan on Rural Development and Poverty Eradication (2004-2010).”

<sup>680</sup> Marlene Ramirez, “AsiaDHRRA and ASEAN: A Case Study on the Process of Civil Society Engagement with a Regional Intergovernmental Organization,” FIM Forum 2008 on “Civil society and Regional Multilateralism,” Montreal, Canada, 8 – 9 February 2008, <http://asiadhrra.org/wordpress/wp-content/uploads/2008/02/asiadhrraaseanfim.pdf> [accessed on 08/12/11].

conference on “ASEAN Talks Business.” Although the conference was primarily attended by the business sector, Ong Keng Yong stated that civil society was invited to raise awareness on their potential as partners in development.<sup>681</sup> In this regard, the ASEAN Secretariat can facilitate TCSN’s role within the region by including them in meetings with state and business leaders. However, it is ultimately up to TCSN to further engage these leaders, and to persuade them of the need to reform existent policies, or to introduce new ones, for a more integrated, regional approach to human security.

In addition to the AsiaDHRRA and AFA, there are two other TCSN on rural development and food security, which have been active in lobbying ASEAN governments for multi-level policy linkage: Towards Ecological Recovery and Regional Alliance (TERRA), and the Southeast Asian Council for Food Security (SEACON).<sup>682</sup> TERRA was part of the Joint Thai-Regional Working Group on the first ASEAN People’s Forum, in 2009, which provides a platform for discussions between civil society organizations in the region, before they present their recommendations to ASEAN leaders at the ASEAN Civil Society Conference.<sup>683</sup> With regard to SEACON, this TCSN is significant, since it initiated a process of “participatory research” to assess the impact of free trade agreements on small scale food producers, and to advocate new agricultural trade policies in ASEAN.<sup>684</sup> This process of “participatory research” strengthens the network through provision of training in education,

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<sup>681</sup> Jet Hermida, “ASEAN Talks Business,” 23 May 2007, <http://asiadhrra.org/wordpress/2007/05/23/asean-talks-business> [accessed on 08/12/11]; “AFA joins “ASEAN Talks Business”,” 8 June 2007, <http://asianfarmers.org/?p=265> [accessed on 08/12/11].

<sup>682</sup> All of these TCSN are mainly funded by foreign donors in the form of international organizations; for example, Oxfam and Misereor: the German Catholic Bishops’ Organisation for Development Cooperation. For this reason, they tend to propagate the discourse from international meetings on rural development and food security. This information is derived from: Ann Mitin (Executive Director for the Southeast Asian Council for Food Security and Fair Trade), interview by author via Skype, note taking, 24 July 2011; Official at the AsiaDHRRA, the Philippines, interview by author via Skype, note taking, 27 December 2011; Official at TERRA, interview by author via Skype, note taking, 27 December 2011.

<sup>683</sup> Focus on the Global South, “Advancing a Peoples’ ASEAN: Continuing Dialogue,” 2009, <http://www.focusweb.org/node/1526> [accessed on 09/12/11].

<sup>684</sup> SEACON, “Using participatory research to understand the effects of trade on small producers and advocate for change,” 2006, <http://www.newtactics.org/en/tactics/using-participatory-research-understand-effects-trade-agreements-small-producers-and-advocat> [accessed on 09/12/11].

and, by extension, strengthens its advocacy for multi-level policy linkage, so that governments may commit to a regional standard on human security. Moreover, “participatory research” also has the added benefit of creating a “feeling of ownership” among the participating small scale farmers on the process of ASEAN community building. In this regard, “participatory research” brings regional and national processes down to the local level, in an attempt to harmonize all these levels, as part of regional community building.

### *Background to TCSN*

The AsiaDHRRA grew out of local communities and organizations’ efforts to promote rural development at a time when economic growth was mainly focused on industrial modernization. More specifically, it grew out of the 1974 Development of Human Resources in Rural Asia Workshop (DHRRAW): a regional partnership of 11 social development networks and organizations in ten Asian countries, which aims to promote self-sufficient rural communities, as well as cooperation and solidarity between them. The AsiaDHRRA includes social development networks in six ASEAN member states, more than half of ASEAN’s membership, and thus has the potential to influence new ASEAN policies if these networks successfully lobby their individual governments, and ASEAN as a whole. These social development networks are located in Cambodia, Indonesia, Myanmar, the Philippines, Thailand and Vietnam. They mainly focus on capacity-building at the national level and include civil society organizations, which work on rural development: the provision of agricultural training and knowledge for farmers, as well as the provision of healthcare and counselling services. However, they also participate in a TCSN in order to coordinate regional policy advocacy on rural development.<sup>685</sup> The AsiaDHRRA raises awareness on the negative impact of regional and bilateral free trade agreements on small-scale farmers, and

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<sup>685</sup> AsiaDHRRA, “About Us,” <http://asiadhrra.org/wordpress/about> [accessed on 07/03/11]. AsiaDHRRA, “The Network,” <http://asiadhrra.org/wordpress/the-network> [accessed on 14/12/11].

seeks to mobilize these farmers, in order to push for social justice in the ASEAN Community.<sup>686</sup> In this regard, the AsiaDHRRA highlights multi-level linkages, that is, how regional and bilateral agreements affect local communities; moreover, the AsiaDHRRA identifies these communities as regional stakeholders and provides them with a political space to express their support for people-centred regionalism, in order to protect their interests. The AsiaDHRRA raises awareness on ASEAN community building in rural areas, in contrast to ASEAN officials, who are based in urban capitals, and who tend to limit their outreach to academia and civil society organizations, which are similarly based there. In this way, TCSN contribute to regional community building by extending the process to non-state actors who are marginalized at the national level, and enabling them to overcome this marginalization by becoming part of a larger network, which gives them more visibility vis-à-vis governments, and, thus, more opportunities to push for the protection of human security across all levels.

The AsiaDHRRA has introduced fellow TCSN, such as AFA, to ASEAN officials; and, in doing so, acted as a bridge between them, and contributed to strengthened relations between TCSN in the region and ASEAN.<sup>687</sup> The AsiaDHRRA views ASEAN's increased recognition of TCSN as strengthening the role of TCSN as "a balancing force," to ensure that a people-centred ASEAN Community is realized.<sup>688</sup> ASEAN's increased recognition is indicated by its meetings with TCSN at the ASEAN Civil Society Conference, and funding for TCSN's projects on rural development, which is provided by the ASEAN Foundation. This Foundation was established by ASEAN leaders in 1997, to commemorate ASEAN's 30<sup>th</sup> anniversary, to promote greater awareness of ASEAN, and to increase people-to-people

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<sup>686</sup> AsiaDHRRA, "Agriculture and the Peasantry in ASEAN: Challenges and Way Forward," ASEAN People's Forum 2011, Jakarta, Indonesia, [http://asiadhrra.org/wordpress/wp-content/uploads/2011/04/peasantasean\\_flyer.pdf](http://asiadhrra.org/wordpress/wp-content/uploads/2011/04/peasantasean_flyer.pdf) [accessed on 14/12/11].

<sup>687</sup> "Advancing Solidarity and Engagement: AsiaDHRRA in 2007," <http://asiadhrra.org/wordpress/wp-content/uploads/2008/06/asiadhrra2007.pdf> [accessed on 16/12/11].

<sup>688</sup> Ibid.

relations within the region, for example, through educational exchanges and conferences.<sup>689</sup> In this endeavour, the ASEAN Foundation funded the AsiaDHRRA's project on capacity-building for small-scale farmers, so that they can maximize their access, and gains from the liberalized market.<sup>690</sup> The AsiaDHRRA's project (2007-2010) consisted of training workshops for small-scale farmers, which included discussions on the market situation, the challenges confronted by small-scale farmers and strategies to overcome them, as well as field trips to farming communities.<sup>691</sup> By funding these workshops, the ASEAN Foundation was raising ASEAN awareness among local farmers, since its logo was included in the posters for the workshops, which provided a space for farmers from ASEAN countries to discuss the need for their governments' support to promote social justice, environmental protection, and sustainable agriculture.<sup>692</sup> In this regard, the working relationship between the ASEAN Foundation and the AsiaDHRRA facilitates regional community building, since marginalized social groups are made aware of ASEAN, and start to discuss their future plans within the framework of an ASEAN Community.

Moreover, the AsiaDHRRA also facilitated regional community building by creating a similar transnational civil society network (TCSN), called the Asian Farmers' Alliance for Sustainable Rural Development (AFA) in 2002. AFA consists solely of farmers' organizations and specifically focuses on their interests. In this regard, members of AFA are more similar to each other, compared to those of the AsiaDHRRA, and should find it easier to reach consensus on an agenda for regional advocacy on rural development.<sup>693</sup> AFA includes farmers' organizations in seven ASEAN member states, more than half of ASEAN's

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<sup>689</sup> "The ASEAN Foundation," <http://www.aseanfoundation.org/index2.php?main=about.htm> [accessed on 16/12/11].

<sup>690</sup> "2<sup>nd</sup> [Linking Small Farmers to Market] Regional Training Workshop," 15 January 2009, <http://www.smallfarmerstomarket.net/page/2> [accessed on 16/12/11]; "Advancing Solidarity and Engagement: AsiaDHRRA in 2007."

<sup>691</sup> "Annex B: Highlights of Regional Trainings," [http://www.smallfarmerstomarket.net/wp-content/uploads/2011/01/LSFM\\_Terminal\\_Report-AnnexB.pdf](http://www.smallfarmerstomarket.net/wp-content/uploads/2011/01/LSFM_Terminal_Report-AnnexB.pdf) [accessed on 16/12/11].

<sup>692</sup> Ibid.

<sup>693</sup> AFA, "About Us," [http://asianfarmers.org/?page\\_id=53](http://asianfarmers.org/?page_id=53) [accessed on 10/03/11].



membership, from Cambodia, Indonesia, Laos, Myanmar, the Philippines, Thailand, and Vietnam. AFA seeks to increase the political space and recognition of farmers' organizations within ASEAN regionalism, in order to protect their interests and to promote their role as states' "active development partners" at both the national and regional level.<sup>694</sup> AFA has carried out national and regional consultations on the impact of free trade agreements on small-scale farmers, as well as the impact of ASEAN's policies on agriculture.<sup>695</sup> It has sought to reach consensus on an agenda for regional advocacy on rural development and food security, especially at a time when international and regional conferences give importance to these issues. Given that rural development and food security are highlighted in international discourse, and on the international agenda, AFA argues that it is an opportune time to maximize the interest and attention of the international community (read, governments) by giving concrete proposals, and presentations on their activities, so that governments may identify which policies and activities they would like to support.<sup>696</sup> Thus, AFA makes use of international trends to promote the role of farmers' organizations in development, at both the national and regional level.

### *Innovation*

The AsiaDHRRA seeks recognition by ASEAN through innovation, that is, it seeks to showcase its knowledge and expertise to ASEAN states, so that it may be recognized as an epistemic community and consulted in policy-making. As stated by the AsiaDHRRA's Communications Officer: the AsiaDHRRA

can cooperate with ASEAN in the formulation of...policies and action plans. We can be active in task forces and committees that can be created. We can share our own experiences and technical expertise. Furthermore, we can help study how much governments allocate for

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<sup>694</sup> AFA, "AFA Strategy Paper 2011-2015," <http://asianfarmers.org/afastrategy2011-2015/afastrategy2011-2015.pdf> [accessed on 15/12/11].

<sup>695</sup> Ibid.

<sup>696</sup> Ibid.

agricultural programs and services benefiting small scale men and women farmers, fishers and indigenous peoples.<sup>697</sup>

In March 2011, the AsiaDHRRA proposed the establishment of a regional knowledge base, as part of its strategy to become an epistemic community. According to the AsiaDHRRA's proposal, this knowledge base would be in the form of an ASEAN Peoples' Field School on Sustainable Agriculture and Climate Change, to manage regional knowledge on small-scale producers.<sup>698</sup> AFA supports this initiative, and already stores knowledge on members' experience and expertise.<sup>699</sup> In this regard, both networks are strengthening themselves for future meetings with ASEAN officials, and future opportunities to influence ASEAN policies on rural development and food security.

Towards Ecological Recovery and Regional Alliance (TERRA) is a further example of how a TCSN seeks to become an epistemic community, and, in doing so, strengthen its regional policy advocacy. TERRA is a project under the Foundation for Ecological Recovery (FER), which is a non-profit organisation based in Thailand. FER was established in 1986 by environmental activists and scholars, to conduct, and to produce research on ecological issues, with the aim to promote sustainable development and greater participation of local communities within the Mekong region. TERRA was subsequently established in 1991 in response to rapid industrialization and the depletion of natural resources in the region, especially in Thailand. It includes civil society organizations (CSOs) from five ASEAN member states: Cambodia, Laos, Myanmar, Thailand, and Vietnam. TERRA acts as an epistemic community by supporting joint research and joint field studies among CSOs, and

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<sup>697</sup> Jet Hermida, "Workshop Summary: Ensuring Food Security in ASEAN Community," 24 February 2009, <http://asiadhrra.org/wordpress/2009/02/24/workshop-summary-ensuring-food-security-in-asean-community> [accessed on 04/03/11].

<sup>698</sup> "Binadesa presents AsiaDHRRA proposal on ASEAN Peoples' Field School on Sustainable Agriculture and Climate Change," 3 March 2011, <http://asiadhrra.org/wordpress/2011/03/03/binadesa-presents-asiadhrra-proposal-on-asean-peoples-field-school-on-sustainable-agriculture-and-climate-change> [accessed on 04/03/11].

<sup>699</sup> "AFA crafts new 5-year plan," 27 April 2010, <http://asianfarmers.org/?p=934#more-934> [accessed on 10/03/11].

thus generating specialized knowledge that can be used against current ASEAN policies and the proposal for new ones.

The Southeast Asian Council for Food Security and Fair Trade (SEACON) has members in seven ASEAN countries, and is similarly a TCSN that acts as an epistemic community by conducting research and presenting their findings to state actors; and by bringing international discourse down to the regional level, thereby promoting a regional response and regional position on the issue at hand. SEACON grew out of the Southeast Asian Non-Governmental Organization (NGO) Conference on Food Security and Fair Trade in 1996, and has members from Cambodia, Indonesia, Laos, Malaysia, the Philippines, Thailand, and Vietnam. SEACON links national and regional policies by seeking to develop self-sufficiency in rice and other staple food at both levels. It also seeks to promote participatory regionalism by aiming for “the establishment of food security councils at the local, national and regional levels that ensure the strong representation of producer interests, with the participation of consumers, business and civil society actors.”<sup>700</sup> SEACON seeks to strengthen its bargaining power with states by conducting research on rural development in Southeast Asia in the form of surveys and statistics, which form the basis of proposals for new regional policies.<sup>701</sup> It seeks to influence state policies on rural development and food security by becoming a valuable knowledge base. However, ASEAN leaders do not recognize SEACON as a knowledge base, but rather as a TCSN which is to be invited to ASEAN conferences, so that it may voice its concerns, and have its questions answered, thereby making ASEAN look more accessible to society, more transparent and more people-

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<sup>700</sup> “Balay Declaration 1996,” Southeast Asian NGO Conference on Food Security and Fair Trade, Quezon City, the Philippines, 13-16 February 1996, [http://www.seacouncil.org/seacon/index.php?option=com\\_content&view=article&id=51&Itemid=58](http://www.seacouncil.org/seacon/index.php?option=com_content&view=article&id=51&Itemid=58) [accessed on 11/03/11].

<sup>701</sup> See, for example, SEACON, “ASEAN Food and Water Charter,” [http://www.seacouncil.org/seacon/index.php?option=com\\_phocadownload&view=category&id=1&Itemid=70](http://www.seacouncil.org/seacon/index.php?option=com_phocadownload&view=category&id=1&Itemid=70) [accessed on 11/03/11].

centred.<sup>702</sup> In this regard, ASEAN leaders view TCSN as social groups which need more clarification and explanations of ASEAN policies, rather than epistemic communities.

### *Multi-Level Linkages*

TERRA promotes multi-level policy linkage by monitoring development projects which have a negative impact on the local people and the environment, and calling on ASEAN to address this impact. For example, in September 2010, TERRA was one of the many networks which submitted a joint statement to ASEAN on “The impacts of overseas investment in large-scale resource extraction projects in (Myanmar) and the role of ASEAN.”<sup>703</sup> The statement expressed CSOs’ concern with overseas investments in Myanmar, such as hydropower and gas projects, which were having a negative social and environmental impact. CSOs pointed out that most of these investments were carried out by large multinational companies without consulting local communities, and threatening these communities’ human security, especially their livelihoods. Moreover, CSOs highlighted the social and environmental threats posed by these investments to the region due to the increased flow of refugees and migrants. They reiterated their call from a year earlier, in 2009, for ASEAN to establish a fourth pillar on the environment (the three existing pillars focus on political-security, economic, and socio-cultural issues) as part of the ASEAN Community. CSOs argued that environmental issues are important in their own right, and that they are more than part of regional economic integration, or a society’s lifestyle and culture.

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<sup>702</sup> See, for example, SEACON, “Video Conference of the Post-ASEAN Summit 2009: A Briefing by Dr. Surin Pitsuwan, Secretary-General of ASEAN on 2 March 2009,” [http://www.seacouncil.org/seacon/index.php?option=com\\_content&view=article&id=210%3Aseacon&catid=67%3Aactivitiesreports&Itemid=103](http://www.seacouncil.org/seacon/index.php?option=com_content&view=article&id=210%3Aseacon&catid=67%3Aactivitiesreports&Itemid=103) [accessed on 25/12/11]; SEACON, “SEACON attended the Consensus-Colloquium on Securing Food in ASEAN; Food Security in the World, 15-17 April 2010,” [http://www.seacouncil.org/seacon/index.php?option=com\\_content&view=article&id=331:seacon-attended-the-consensus-colloquium-on-securing-food-in-asean-food-security-in-the-world-15-17-april-2010-&catid=67:activitiesreports&Itemid=103](http://www.seacouncil.org/seacon/index.php?option=com_content&view=article&id=331:seacon-attended-the-consensus-colloquium-on-securing-food-in-asean-food-security-in-the-world-15-17-april-2010-&catid=67:activitiesreports&Itemid=103) [accessed on 25/12/11].

<sup>703</sup> “Statement to ASEAN: The impact of overseas investment in large-scale resource extraction projects in Burma and the role of ASEAN,” ASEAN People’s Forum, Hanoi, Vietnam, September 2010, [http://www.terraper.org/file\\_upload/Final%20statement\\_Burma%20workshop.pdf](http://www.terraper.org/file_upload/Final%20statement_Burma%20workshop.pdf) [accessed on 14/03/11].

For example, Dorothy-Grace Guerrero, a member of the TCSN, Solidarity for Asian People's Advocacy (SAPA), stated that "environmental concerns can no longer be just subsumed into the ASEAN mechanisms as economic and socio-cultural rights; it is an urgent issue that cuts across governance, resource management, and environment-related disasters."<sup>704</sup> TERRA highlights multi-level linkages by pointing out how environmental issues and threats to human security in one country affect the whole region, due to problems of environmental depletion and increased migration. Moreover, TERRA emphasizes multi-level linkages by proposing a regional, ASEAN solution to these problems in the form of an additional ASEAN Environmental Community. In this regard, TERRA facilitates regional community building by maintaining discourse on the need for an integrated approach to human security.

TERRA proposed that a fourth pillar on the environment should focus on three main themes: large-scale development projects that destroy local livelihoods and the environment, climate change, and biodiversity. The purpose in doing so was to promote sustainable development and human security by emphasizing the link between sustainable management of natural resources and local livelihoods. Proposals for the fourth pillar of ASEAN on the environment reflect the discourse that is taking place in international organizations such as the UN. In this regard, TERRA's proposals have wider international implications by not only linking the local, national, and regional levels, but also the regional and international levels, in terms of discourse and policy-making. By bringing the international discourse on to the regional agenda, TERRA promotes a regional response to this discourse, and thus a regional position and strengthened regional identity. This is particularly important with regard to food security, as members of academia have already pointed out that ASEAN member states, as a whole, have not agreed on a collective strategy: for example, should food security be based

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<sup>704</sup> Focus on the Global South – Philippines, "Regional and national CSOs push for right to information, fourth pillar on environment and accountability in trade agreements in ASEAN," October 2010, <http://www.focusweb.org/content/regional-and-national-CSOs-push-right-information-fourth-pillar-environment-and-accountabili> [accessed on 21/08/11].

on self-sufficiency in rice, or should it instead focus on the establishment of an appropriate and efficient price and supply stabilization strategy?<sup>705</sup> TERRA pushed ASEAN to develop and consolidate its position on food security and on international issues in general, which is one of the reasons why it is significant for community building. As argued by Amelia Bello, from the University of the Philippines:

If regional integration and cooperation means moving towards a common goal using a common strategy, then it is essential that the ASEAN member countries agree on what food security collectively means to them, and what food items are important to each of them and the region in general, so that regional integration and cooperation under the auspices of ASEAN can be better promoted.<sup>706</sup>

TERRA submits statements to the ASEAN Secretariat and calls on ASEAN leaders to develop an agreed definition and strategy for protecting food security. In this regard, TERRA engages ASEAN states, so that they may pay more attention to human security issues, and, in doing so, promote a more people-centred regionalism and, thus, progress in regional community building.

The AsiaDHRRA and AFA have promoted multi-level linkages by organizing workshops, which give voice to the interests and concerns of rural communities, and enable them to participate in ASEAN community building. For example, at the 6<sup>th</sup> ASEAN People's Assembly, the AsiaDHRRA, together with AFA, the Union Network International Asia-Pacific Regional Organization (UNI-APRO), and a few smaller organizations, jointly organized a panel on "Fair Trade towards an Integrating ASEAN." The purpose of the workshop was to enable farmers to articulate their views on regional trade. Marlene Ramirez, the executive director of the AsiaDHRRA, started by quoting an aim of the ASEAN Economic Community (AEC) to realize "equitable economic development and reduced

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<sup>705</sup> Bello, "Ensuring Food Security," 104.

<sup>706</sup> Ibid., 105.

poverty and socio-economic disparities.”<sup>707</sup> Ramirez stated that the AsiaDHRRA would hold ASEAN accountable to this aim by monitoring ASEAN’s progress in realizing an AEC, and helping to ensure that economic development is balanced and sustainable. Ramirez traced the course of uneven economic development since the establishment of the ASEAN Free Trade Area (AFTA) in 1992. She claimed that free trade among ASEAN member states mainly benefited the traders and transnational corporations (TNCs). The latter has apparently received the most benefits due to their possession of capital and global networks to take full advantage of the new investment opportunities created by AFTA. In contrast, the AsiaDHRRA found that the larger part of ASEAN society suffered, as evident from

the collapse of micro, small, medium, and indigenous farmers, industrial producers and traders; the weakening of the trade union movement and the rising violations of labour rights because of the regional race to the bottom or lowering of labour standards just to be competitive; and the rising joblessness, underemployment, and poverty.<sup>708</sup>

AFA also acknowledged the negative impact of free trade in general, for example, in their discussions on agricultural trade liberalization. AFA stated that rapid agricultural trade liberalization led to massive dumping of cheap agricultural imports from developing countries and their transnational corporations. This destroyed the livelihoods of thousands of farmers and agricultural workers, who became poorer and more marginalized. AFA is concerned that ASEAN integration would further displace small scale farmers, destroy their livelihoods, rural heritage and the culture of agricultural communities in Southeast Asia. For this reason, AFA started to meet with ASEAN officials, and to communicate their concerns in

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<sup>707</sup> Quoted in Marlene Ramirez, “Building an ASEAN Economic Community Towards “Wider,” “Deeper” and “Meaningful” National and Regional Economic Growths,” November 2007, <http://www.asiadhrra.org/wordpress/wp-content/uploads/2007/11/notes-for-siia-aec.pdf> [accessed on 07/03/11]; ASEAN Secretariat, “Declaration of ASEAN Concord II (Bali Concord II),” Bali, Indonesia, 7 October 2003, <http://www.aseansec.org/15159.htm> [accessed on 08/03/11].

<sup>708</sup> Ramirez, “Building an ASEAN Economic Community.”

2005, when AFA and the AsiaDHRRA co-organized a session on “ASEAN and Agriculture.”<sup>709</sup>

Given the negative impact of regional free trade on rural communities, the AsiaDHRRA expressed its aim to promote “wider, deeper and meaningful national and regional economic growth.”<sup>710</sup> By “wider,” Ramirez explained that she was referring to more equal distribution of economic benefits, where it is not only the elite and transnational corporations which benefit, but also the small entrepreneurs and producers. In this endeavour, the AsiaDHRRA and AFA are campaigning for participatory regionalism, in terms of enabling small-scale producers to formulate, implement, and evaluate trade policies which affect their livelihood and human security. As such, they have a narrower interpretation of participatory regionalism than other TCSN, such as the Solidarity for Asian People’s Advocacy (SAPA), which interprets participatory regionalism as the participation of civil society organizations in all regional policy-making. These different interpretations reflect the spectrum of minimum to maximum participatory regionalism, where the former is marked by civil society’s participation in selected policy areas, while the latter is marked by civil society’s participation in all policy areas. The minimalist definition makes it easier for ASEAN member states to provide for participatory regionalism, by limiting it to human security issues such as the environment. Moreover, the spectrum of definitions also makes it easier for scholars to trace ASEAN’s progress in participatory regionalism, based on the number of areas in which civil society is allowed to participate in policy-making, implementation, and evaluation. Thus, an analysis on the discourse of different TCSN demonstrates the higher prospects for participatory regionalism, for monitoring the progress of participatory regionalism, and for achieving and studying ASEAN community building.

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<sup>709</sup> Esther Penunia, “Accessing and Accounting ASEAN,” *Women in Action* 1 (2009): 100-104.

<sup>710</sup> Ramirez, “Building an ASEAN Economic Community.”



Both the AsiaDHRRA and AFA seek to strengthen their role in ASEAN community building by proposing that ASEAN institutionalize the role of small-scale rural producers and identify them as an Advisory Council on trade policies.<sup>711</sup> Such a development would indicate significant progress in participatory regionalism, but has thus far not taken place. With regard to the AsiaDHRRA's call for "deeper" economic growth, this refers to more functional, economic demands: investment in local economies, and in research and development, farmers' access to national and international markets, and environmental sustainability. Finally, its call for "meaningful" economic development similarly refers to functional, economic demands, such as the generation of employment opportunities, increasing incomes and the reduction of poverty.<sup>712</sup> ASEAN statements thus far indicate that the functional, economic dimensions of development are prioritized over the political-social dimension. For example, the Strategic Plan of Action on Food Security for the ASEAN Region (SPA-FS) includes the following objectives: to promote the food market and trade, and to encourage greater investment in food and agro-based industry.<sup>713</sup> At the time, ASEAN member states were reacting against the sharp increase in international food prices 2007/2008. However, they had also started to meet with civil society organizations (CSOs) at the ASEAN Civil Society Conference, and were in the process of finalizing the ASEAN Charter, which seeks to realize a "people-oriented" ASEAN Community. For this reason, there was a need to continue, and to strengthen the social dimension of ASEAN community building by at least recognizing the important role of CSOs in development, in ASEAN statements, and providing for their role in policy implementation. Policy implementation is left to the discretion of each ASEAN member state, which means that multi-level linkages have not yet

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<sup>711</sup> Hermida, "Workshop Summary: Ensuring Food Security in ASEAN Community." Penunia, "Accessing and Accounting ASEAN"; see also AFA, "CSO recommendations to effectively address the impact of the global financial crisis on the vulnerable sectors in the ASEAN region," 6 August 2009, <http://www.asianfarmers.org/?p=725> [accessed on 10/03/11].

<sup>712</sup> Ramirez, "Building an ASEAN Economic Community."

<sup>713</sup> ASEAN Secretariat, "ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013."

been created in the area of rural development and food security. If it had, there would be a common, regional standard to be reached, and provisions for monitoring by other regional states, or by the ASEAN Secretariat, as well as civil society.

#### IV. Explanations for TCSN's Lack of Impact on ASEAN Policies

Two reasons for which TCSN have not been able to have an impact on ASEAN policies is their lack of understanding on regional issues, and their internal conflict, which undermines their collective voice in regional advocacy. For example, in its strategy paper for 2011-2015, the Asian Farmers' Alliance for Sustainable Rural Development (AFA) noted that, "most often, because of the lack of understanding of matters in question, conflict between and among our leaders, members, and secretariat staff arises."<sup>714</sup> Moreover, the AsiaDHRRA also acknowledges that different civil society organizations have their own agenda, and encourages each one to be mindful of the broader long-term advocacy for people-centred regionalism.<sup>715</sup>

On the part of states, there has been a lack of multi-level linkages in ASEAN policies on rural development and food security, mainly because "the ASEAN agenda remains highly voluntaristic," and because the agenda is left to national interpretation and implementation.<sup>716</sup> This flexibility, or "policy gap" among ASEAN member states has been described by scholars as "a strategic ambiguity," which enables member states to participate in the community building process at their own pace.<sup>717</sup> As such, ASEAN member states provide for limited multi-level linkages, in terms of encouraging the exchange of knowledge and practices at the national level, so that they may strengthen regional development as a whole.

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<sup>714</sup> AFA, "AFA Strategy Paper 2011-2015."

<sup>715</sup> Ramirez, "AsiaDHRRA and ASEAN."

<sup>716</sup> R. James Ferguson, "ASEAN Concord II: Policy Prospects for Participant Regional "Development"," *Contemporary Southeast Asia* 26, No. 3 (Dec., 2004): 393-415.

<sup>717</sup> Ibid.

They have not provided for multi-level linkages in terms of creating a fourth pillar on the environment as part of the ASEAN Community, which would prioritize environmental sustainability and social justice; or in terms of institutionalizing an advisory role for TCSN in rural development and food security.<sup>718</sup> ASEAN member states have yet to achieve a balance between trade and investment liberalization on the one hand, and environmental protection on the other, with the latter affecting rural development and food security.<sup>719</sup> Environmental protection includes the sustainable use of natural resources, which constitute the livelihood and maintain the human security of the rural population. Despite its importance, however, Jörn Dosch finds that

there is little evidence of any substantial initiatives to mainstream environmental issues into trade/investment policymaking based on initiatives of domestic national actors or at the subregional or regional levels that go beyond official government rhetoric and – often unenforceable – legislative frameworks.<sup>720</sup>

ASEAN member states have recognized the importance of the environment in the “Roadmap for an ASEAN Community 2009-2015”; they have also recognized the importance of rural development and food security in the ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013.<sup>721</sup> Thus, it is not the lack of regional policy initiatives that restrict multi-level linkages, but rather the extent of policy implementation at the national level.<sup>722</sup> There are numerous factors which restrict the implementation of regional policies on the environment, rural

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<sup>718</sup> Focus on the Global South – Philippines, “Why a Fourth Pillar on the Environment?” 25 May 2011, <http://www.focusweb.org/philippines/fop-articles/statementsdeclarations/514-why-a-fourth-pillar-on-the-environment> [accessed on 26/12/11]; “Statement of the 2011 ASEAN Civil Society Conference/ASEAN Peoples’ Forum,” 10 May 2011, <http://burmadigest.info/2011/05/10/statement-of-the-2011-asean-civil-society-conferenceasean-peoples'-forum> [accessed on 26/12/11].

<sup>719</sup> See Jörn Dosch, “Balancing Trade Growth and Environmental Protection in the Mekong: Key Issues,” *Trade Knowledge Network Fact Sheet*, June 2010, [http://www.iisd.org/tnk/pdf/balancing\\_trade\\_mekong.pdf](http://www.iisd.org/tnk/pdf/balancing_trade_mekong.pdf) [accessed on 26/12/11].

<sup>720</sup> Ibid.

<sup>721</sup> ASEAN Secretariat, “Roadmap for an ASEAN Community 2009-2015,” 2009, <http://www.aseansec.org/publications/RoadmapASEANCommunity.pdf> [accessed on 26/12/11].

<sup>722</sup> Jörn Dosch, “Reconciling Trade and Environmental Protection in ASEAN-China Relations: More than Political Window Dressing?” *Journal of Current Southeast Asian Affairs* 30, No. 2 (2011): 7-29.

development, and food security; for example, corruption, and illegal and uncontrolled economic activities.<sup>723</sup> On the other hand, there are also factors which motivate ASEAN member states to pay more attention to these issues, such as volatile food prices, which may threaten the political regime. This potential threat was particularly acute after volatile food prices in Tunisia played an indirect role in provoking protests and riots in 2011.<sup>724</sup> Nevertheless, ASEAN member states still prioritize the functional, economic dimensions of development, over the political-social dimensions. They continue to focus on information sharing, and cooperation between ASEAN civil servants, scholars and farmers, on how to improve agricultural productivity, and to manage access to natural resources at the national level.<sup>725</sup> As such, they have not yet created multi-level linkages in the area of rural development and food security, due to the principle of national sovereignty and non-interference in another country's internal affairs.

ASEAN diplomats are aware of the potential role of civil society in community building, especially in the area of human security; however, they continue to prioritize regional unity and to prevent any clashes between democratizing and authoritarian member states. For example, Ambassador Manasvi Srisodapol, Permanent Representative of Thailand to ASEAN, considered the possibility of treating civil society as an epistemic community:

(civil society) may have specialized knowledge and skills that can be utilized or taken into account in ASEAN projects and undertakings, if applied appropriately and constructively in the larger context where the interests and concerns of the general public have to be balanced.<sup>726</sup>

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<sup>723</sup> Dosch, "Balancing Trade Growth and Environmental Protection in the Mekong."

<sup>724</sup> Yang Razali Kassim, "ASEAN's Role in Asian Food Security," *The Business Times*, 14 September 2011, <http://www.rsis.edu.sg/nts/resources/Media-reports/YR-1409-BT.pdf> [accessed on 26/12/11].

<sup>725</sup> ASEAN Secretariat, "Joint Statement of the Seventh ASEAN Ministers Meeting on Rural Development and Poverty Eradication (7<sup>th</sup> AMRDPE)," Brunei Darussalam, 2 November 2011, <http://www.aseansec.org/26706.htm> [accessed on 26/12/11]; Tommy Koh, interview by author via email, 8 June 2010.

<sup>726</sup> Manasvi Srisodapol, interview by author via email, 8 August 2010.

In addition, Bilahari Kausikan, second Permanent Secretary of the Ministry of Foreign Affairs of Singapore, noted the possibility of state-CSO meetings becoming more than “a ritual,” given ASEAN member states’ growing awareness of human security issues and their transnational nature, and the fact that TCSN may be in a better position to tackle them.<sup>727</sup> Thus, there is awareness of the potential of TCSN to advance community building among ASEAN diplomats, but there is as yet no collective preparedness and willingness to facilitate their role, due to ASEAN’s political diversity.

## V. Conclusion

This chapter sought to evaluate ASEAN’s progress in regional community building, based on the development and impact of transnational civil society networks (TCSN) in creating multi-level linkages in ASEAN discourse and policy, that is, the linking of the domestic and the regional into an integrated framework. TCSN are motivated to strengthen themselves, so that they may be “a balancing force” against ASEAN member states, to ensure that a people-centred ASEAN Community is realized.<sup>728</sup> TCSN, such as the AsiaDHRRA, highlight multi-level linkages, in terms of how regional and bilateral agreements affect local communities. They identify these communities as regional stakeholders and provide them with a political space to express their support for people-centred regionalism, in order to protect their interests. TCSN raise awareness on ASEAN community building in rural areas, in contrast to ASEAN officials, who are based in urban capitals, and who tend to limit their outreach to academia and civil society organizations, which are similarly based there. In this way, TCSN contribute to regional community building by extending the process to non-state actors who are marginalized at the national level, and enabling them to overcome this

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<sup>727</sup> Bilahari Kausikan, interview by author, note taking and tape recording, Ministry of Foreign Affairs, Singapore, 22 June 2010.

<sup>728</sup> “Advancing Solidarity and Engagement: AsiaDHRRA in 2007.”

marginalization by becoming part of a larger network, which gives them more visibility vis-à-vis governments, and, thus, more opportunities to push for the protection of human security across all levels.

ASEAN leaders do not recognize TCSN as epistemic communities, or as advisors in regional policy-making; rather, they view TCSN as non-state actors, which are to be invited to ASEAN conferences, so that they may voice their concerns, and have their questions answered, thereby making ASEAN look more accessible to society, more transparent and more people-centred. In this regard, ASEAN leaders view TCSN more as non-state actors, which need more clarification and explanations of ASEAN policies. This is one of the reasons why they have not provided TCSN with a bigger role than that of a facilitator to implement ASEAN policies. For example, the ASEAN Foundation provides funding for TCSN's projects on rural development, which focus on capacity-building, and which are in line with ASEAN governments' objectives to promote rural economic growth and the development of human resources in rural areas.<sup>729</sup> ASEAN leaders have provided TCSN with a role in facilitating policy implementation at the national level. They remain averse to creating multi-level policy linkage, where there is a common, regional standard, and provisions for regional monitoring. The reason for this is the prioritization of regional unity, which means enabling each country to proceed at its own pace, in accordance to its own level of political development. As such, ASEAN member states provide for limited multi-level linkages, in terms of encouraging the exchange of knowledge and practices at the national level, so that they may strengthen regional development as a whole. They have not provided for multi-level linkages in terms of creating a fourth pillar on the environment as part of the ASEAN Community, which would prioritize environmental sustainability and social justice; or in terms of institutionalizing an advisory role for TCSN in rural development and food

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<sup>729</sup> ASEAN Secretariat, "Joint Statement of the Seventh ASEAN Ministers Meeting on Rural Development and Poverty Eradication."

security.<sup>730</sup> In this regard, TCSN have contributed to community building by raising ASEAN awareness and maintaining a discourse on the need for multi-level policy linkages; however, they have, so far, failed to influence ASEAN leaders into transforming this discourse into policy.

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<sup>730</sup> Focus on the Global South – Philippines, “Why a Fourth Pillar on the Environment?”; “Statement of the 2011 ASEAN Civil Society Conference/ASEAN Peoples’ Forum.”

## Chapter Eight: Conclusion

This thesis sought to evaluate ASEAN's progress in regional community building, by determining the extent to which there has been a shift from policies and processes associated with "old regionalism" (state-security-economic centred regionalism) towards those associated with "new regionalism" and a regional community (the widening of regionalism to non-state actors, the expansion of regional cooperation into new areas, such as non-traditional security, and the emergence of a transnational civil society network to promote socio-economic welfare in the region, as well as the harmonization of domestic and regional policies). The first half of the thesis evaluated ASEAN's progress along this sliding scale by testing the persistence of "old regionalism," based on three sets of Thailand's bilateral relationships; while the second half of the thesis tested the significance of "new regionalism," based on three case studies on civil society participation in regional community building. In comparison to previous studies on regionalism, this thesis does not focus on economic interdependence as an independent variable, since it is more interested in the quality, rather than quantity, of intra-regional interactions, and the social, people-centred aspect of regional community building, rather than a material, economic-centred one.

Thailand's bilateral relations demonstrate the persistence of "old regionalism," in terms of a continuing tendency to differentiate the other as an external security threat. This tendency is due to the following factors. First, the presence of a deeply embedded historical legacy of differentiation, which is supported by states for domestic political interests. Second, the dynamics of on-going bilateral disputes, which involve the exchange of accusations, an appeal to third party mediation, and, thus, an internationalisation of the conflict, and widening of differentiation for domestic political interests to international relations. Third, states' domestic policies in the border area, which can instigate violent forms of protest, and



thereby undermine border security and the aim to realize a peaceful regional community. Differentiation in Thailand's bilateral relationships demonstrates the limitations to regional community building, based on the persistence of distrust and insecurity within the region. Moreover, these relationships also undermine the theoretical argument that regionalism can help to overcome such deep-seated antagonisms, as shown by the case of Western Europe. The reason for this is that Western European states were inclined towards regional integration and diminishing national sovereignty after the Second World War, in order to prevent future wars, to maintain regional security, and to pool resources to match the superpowers. In contrast, countries from developing regions, such as Southeast Asia, remain very much protective of their national sovereignty. For this reason, they are more inclined towards widened and deepened regional cooperation, rather than regional integration and the creation of central political institutions. Such widening and deepening of regional cooperation may strengthen relations between regional states. However, it does not necessarily reverse differentiation between regional states, especially if differentiation is maintained by states for domestic political interests. Thus, the persistence of differentiation restricts improvements in the quality of intra-regional relations, as well as assimilation into a regional community with a common identity.

With regard to the second half of the thesis, the case studies on civil society demonstrate that "new regionalism" is significant in form, rather than in substance. Moreover, these chapters also demonstrate how regional community building is simultaneously restricted by political diversity between regional states, and promoted by regional civil society organizations' (CSOs) activities to raise regional awareness, and their common regional advocacy. The case studies on civil society highlight the parallels between domestic and foreign policies, in that democratization and engagement with civil society at the domestic level, tend to lead to states' promotion of engagement with civil society at the

regional level, as well as their promotion of an institutionalized role for civil society in regional community building. Following the same logic, less democratized or authoritarian states, which suppress the role of civil society at the domestic level, also tend to suppress their role at the regional level. As such, any progress in widening regionalism to CSOs is the result of a negotiated compromise between democratic and authoritarian states. With regard to the expansion of regional cooperation to new areas, and the involvement of CSOs in these areas, progress is similarly dependent on democratizing ASEAN member states, which have consolidated their regime security, to the extent that they can engage more with non-traditional security issues, at both the domestic and international level. Finally, the case study on transnational civil society networks (TCSN) demonstrates the limitations to community building, based on states' symbolic ritual of meeting with civil society to consolidate their legitimacy, while being under no obligation to provide feedback to civil society's proposals, or to transform these proposals into policies. The case studies on civil society and Thailand's bilateral relations demonstrate the limited progress in ASEAN community building, based on the following factors. Domestic political interests in maintaining differentiation continue to override the regional interest in reversing it. The region's political diversity continues to restrict the institutionalisation of a regional role for civil society, as well as the translation of regional aims into domestic policies. This is especially the case for human rights and non-traditional security. Thus, ASEAN community building is largely rhetorical and empty in substance.

The remainder of this concluding chapter is divided into three sections. Section I provides an elaboration on what the case studies on bilateral relations tell us about ASEAN's progress in regional community, and the main limitations on this front. Section II does the same for the case studies on civil society. Finally, section III relates these findings to the

bigger picture of regionalism, and regional community building, and suggests areas for further research.

### **I. Implications of Thailand's Bilateral Relations on Regional Community Building**

Thailand's bilateral relations demonstrate how the reversal of differentiation is driven by shared political and security interests, as well as the unilateral pursuit of economic interests, especially under Chatichai Choonhavan's government (1988-1991). The end of the conflicts in Indochina enabled Chatichai to be opportunistic and to initiate the policy of turning Indochina's "battlefields into marketplaces."<sup>731</sup> Chatichai was driven by economic interests to reverse differentiation of neighbouring Indochinese countries, as well as Myanmar, and to promote bilateral economic cooperation. At the time, Thailand's natural resources were rapidly decreasing and insufficient for domestic consumption and industry.<sup>732</sup> As such, the search for supplementary raw materials from other countries became necessary, and Myanmar appeared to satisfy this need. Moreover, bilateral economic cooperation with Myanmar and the former countries of Indochina was also intended to satisfy the domestic demands for trade. Following Chatichai's premiership, the next Thai leader to pursue an economics-driven foreign policy and to reverse differentiation was Prime Minister Thaksin Shinawatra (2001-2006), who sought to demonstrate regional leadership in economic development and community building by initiating multilateral economic frameworks. These frameworks include the Asia Cooperation Dialogue (ACD) and the Ayeyawady Chai Phraya Mekong Economic Cooperation Strategy (ACMECS): all of which promoted assimilation through a common regional identity. Moreover, Thaksin's aim to consolidate regime security, and to demonstrate regional leadership in community building, also involved the initiation of

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<sup>731</sup> Chris Baker and Pasuk Phongpaichit, *A History of Thailand* (Cambridge: Cambridge University Press, 2005), 241.

<sup>732</sup> Venika Boonma-kee, *Burma: Thai Foreign Policy under Chatichai Choonhavan's Government* (Bangkok: The Thailand Research Fund, 1997).

bilateral friendship associations. Thaksin was motivated to initiate such associations, and to promote closer bilateral relationships, due to the following security concerns: geographical proximity, border security, cross-border migration and cross-border trade.<sup>733</sup> In the case of Thai-Cambodian relations, a Thai-Cambodia Joint Commission for the Promotion of Cultural Cooperation (later renamed the Thailand-Cambodia Cultural Association) was established in 2004, with the specific purpose of reversing differentiation for national security, after the anti-Thai riots in Cambodia the previous year. In this regard, bilateral friendship associations and cultural associations serve the same purpose. In addition to these associations, recent Thai leaders, such as Abhisit Vejjajiva (2008-2011), also sought to consolidate national security and to demonstrate Thailand's community spirit by proposing the re-write of history textbooks, and websites to promote regional awareness. However, all of these initiatives are vulnerable to a lack of political support, a lack of coordination between the actors involved, a lack of public outreach, as well as a lack of funding. In this regard, the Thai government's efforts to reverse differentiation among society have generally been weak. These efforts have had a marginal impact, in terms of improving bilateral relations, and, as such, have not played a significant role in advancing regional community building.

Nevertheless, the failure of state policies to significantly reverse differentiation at the society level has motivated non-state actors to play a proactive role in regional community building. This role is motivated by their awareness of the negative impact of bilateral conflicts on national security, especially the security and socio-economic welfare of border communities.<sup>734</sup> The increasing role of non-state actors is also motivated by their aim to improve the region's socio-economic welfare through the maintenance of a peaceful, stable

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<sup>733</sup> See Pavin Chachavalpongpun, *Reinventing Thailand: Thaksin and His Foreign Policy* (Thailand: Silkworm Books, 2010), 162.

<sup>734</sup> Lisa Gardner, "Crossing Borders – Thais and Cambodians March for Peace," *Prachathai* (a Thai-English web newspaper), 21 May 2011, <http://www.inebnetwork.org/ineb/report/110-crossing-borders-thais-and-cambodians-march-for-peace> [accessed on 08/10/11].

regional environment, which the process of regional community building is expected to consolidate.<sup>735</sup> Non-state actors who have taken an interest in promoting the reversal of differentiation for national and regional interests include academia and civil society organizations (CSOs). Academia attempt to reverse differentiation by raising awareness on similarities between neighbouring countries, while CSOs mobilize the wider society to call for peaceful regional relations. Thus, progress in ASEAN community building is no longer only driven by shared political, security, and economic interests between regional states, but also by proactive non-state actors.

With regard to limitations to regional community building, Thailand's bilateral relations also demonstrate many restrictive factors. These include a deeply embedded historical legacy of differentiation, which is maintained through the school curriculum in Thailand, Myanmar and Cambodia. Differentiation is also maintained through bilateral problems (such as drug-trafficking), territorial disputes, and the presence of military troops in Thailand's border area with Myanmar and Cambodia. In addition, Thai-Cambodian relations demonstrate how community building is restricted by the internationalisation of bilateral territorial disputes, which means that differentiation is not only pursued for domestic political interests, but also for international relations. Thailand's bilateral relations demonstrate the pursuit of differentiation for domestic political interests, as follows. Thai governments which have been led by the Democrat Party sought to strengthen their legitimacy and their status within an international community of democratic and democratising countries, by differentiating the Burmese government as an authoritarian regime that abuses human rights, and promoting political reforms in Myanmar. Burmese and Cambodian governments sought to consolidate their political regime by maintaining differentiation of Thailand as an external security threat, based on Thailand's apparent hegemonic aspirations. Moreover, the

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<sup>735</sup> See *ibid.*

Cambodian government's differentiation of Thailand as a security threat is also based on Thailand's increasing cultural and economic presence in Cambodia, which is perceived as a threat to Cambodia's national identity, as well as the Thai-Cambodian territorial dispute over the area surrounding Preah Vihear temple. In the context of Thai-Malaysian relations, Thai governments have pursued differentiation in order to protect regime security, by implying that the conflict in southern Thailand is not so much a result of domestic policies, but rather a result of Malaysia's interference. In contrast, Malaysian governments have been more inclined to promote the reversal of differentiation and bilateral cooperation, in the pursuit of their security and political interests. This is due to the security-based incentive to prevent spill-over of Thailand's southern conflict into Malaysia, by emphasizing the fact that Malaysia does not provide a training ground and refuge for southern Muslim separatists. Moreover, Malaysian governments have also sought to consolidate their political regime and status in the international community, by promoting a good image of Malaysia as a friendly, cooperative neighbour. Thus, Thailand's bilateral relations restrict ASEAN community building due to the pursuit of differentiation – be it mutual or one-sided – for domestic political interests, as well as the continuation of border insecurity.

One acknowledges the shortcomings of these case studies in mainly relying on secondary literature, rather than elite interviews, or surveys among social groups, for example, university students, to assess the current degree of differentiation and assimilation among policy-makers and society, respectively. In such interviews and surveys, differentiation would be indicated by identification of the other as an external security threat, while progress towards assimilation would be indicated by, for example, positive identification of the other – be it as an economic partner, and/or fellow member of ASEAN, which shares the aim of realizing an ASEAN Community. Such surveys among different social groups within ASEAN constitute an area for further research.

## **II. Civil Society Participation and Regional Community Building**

The case studies on civil society demonstrate how “new regionalism” (the widening of regionalism to non-state actors, the expansion of regional cooperation into new areas, such as non-traditional security, and multi-level linkage between regional declarations and domestic policies) is mainly driven by democratizing ASEAN member states, for the following reasons. Democratizing ASEAN member states, namely – Indonesia, Malaysia, the Philippines, and Thailand – were already engaging with development-oriented CSOs at the national level, and sought to consolidate their status as a democratic country in the international community, by also promoting state-CSO meetings at the regional level. For this reason, the Malaysian government initiated an ASEAN Civil Society Conference in 2005, which involves a meeting between state leaders and CSO representatives, and demonstrates the aim of ASEAN member states to consolidate their legitimacy, and to strengthen the credibility of their declarations to realize a region of democratic states and people-oriented regional community building. With regard to the expansion of regional cooperation into new areas, such as human rights, this process has also been driven by the aforementioned democratizing ASEAN member states, since they had already supported the creation of national human rights commissions, and were thus prepared to support human rights at the regional level. Moreover, these national human rights commissions, together with academia and CSOs, have also been active in promoting the expansion of regional cooperation to human rights. They have constantly met with state actors to negotiate the form and nature of a regional human rights body. This regional human rights body gradually emerged as an ASEAN Intergovernmental Commission on Human Rights (AICHR), which, despite its limitations (see below), at the very least institutionalized ASEAN member states’ recognition of human rights norms. Finally, the last case study on civil society demonstrated how progress in ASEAN community building is facilitated by transnational civil society networks

(TCSN), which raise awareness on an ASEAN Community, especially among the rural communities, and include these communities as part of a larger regional network, in order to give them more visibility vis-à-vis governments, and the opportunity to voice their preferences on regional policies. Thus, ASEAN community building has made visible progress, in terms of ASEAN-CSO interactions, the emergence of a regional human rights body, and a transnational civil society network (TCSN), which is increasing regional awareness and increasing society's participation in ASEAN affairs; however, it has made limited substantive progress, due to the region's political diversity and prioritization of regional unity, which has resulted in a lack of feedback and outcomes from ASEAN-CSO meetings, a regional human rights body that lacks power, and a lack of institutionalized and enforceable regional norms on non-traditional security issues.

As such, the main limitations to ASEAN community building, which have been demonstrated by the case studies on civil society, are as follows. ASEAN community building is restricted by the less democratic ASEAN member states, namely, the countries of former Indochina and Myanmar, which prefer closed participatory regionalism, in contrast to CSOs' preference for open participatory regionalism. Closed participatory regionalism is characterized by i) selected public participation that is limited to specific social groups, for example, students, and pro-government CSOs; ii) availability of information on fait accompli, or official documents which have already been agreed on by state actors; and iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are not given feedback or acted upon. In contrast, open participatory regionalism features i) open public participation, whereby anyone can participate; ii) availability of draft policies for feedback and voting; iii) the presentation of the results of a public debate on regionalism to state actors, whereby these results are given feedback and there is a negotiated outcome between state actors and CSOs. These different preferences between ASEAN



member states, as a whole, and CSOs, also demonstrate the restrictions on ASEAN community building, on the part of less democratized and authoritarian ASEAN member states, which seek to maintain purely state-centred regionalism for regime security. With regard to the expansion of regional cooperation to new areas, such as human rights, ASEAN community building is similarly restricted by the prioritization of regime security, to the expense of an effective, and functioning regional human rights body. This prioritization of regime security meant that the regional human rights body, the ASEAN Intergovernmental Commission on Human Rights (AICHR), had no power to penalize ASEAN member states for repressive political practices, or human rights abuses. Moreover, the AICHR also maintains ASEAN member states' defensive mechanisms against external interference and their exclusive role in agenda-setting. As such, ASEAN community building lacks "teeth" in new areas of regional cooperation, especially in human rights, which similarly lacks an element of participatory regionalism. Finally, ASEAN community building is limited by the fact that ASEAN member states remain averse to creating multi-level policy linkage, where there is a common, regional standard, and provisions for regional monitoring. The reason for this is the prioritization of the ASEAN principle of non-interference, which means enabling each country to proceed at its own pace, in accordance to its own level of political development. Thus, the main limitations to community building, as demonstrated by the case studies on civil society, are the region's political diversity, namely, the political struggle and constant negotiating of compromises between the more democratic, and less democratic ASEAN member states, as well as the prioritization of regional unity over a people-centred ASEAN Community.

### **III. An Evaluation of ASEAN's Progress in Regional Community Building and Areas for Further Research**

ASEAN community building is limited by the persistence of “old regionalism,” as indicated by politically motivated differentiation and border insecurity, as well as non-substantial “new regionalism,” as indicated by symbolic meetings between states and CSOs, a powerless regional human rights body, and the remaining gap between regional declarations and policy implementation. These conclusions are derived from a sample of intra-regional relations, based on Thailand's bilateral relationships, and selected case studies on participatory regionalism, regionalism and human rights, and transnational civil society networks (TCSN). As such, the thesis only constitutes a small part of the potential field of research on regionalism in general, and ASEAN's progress in regional community building in particular. Further areas for research include the linkages between the domestic and foreign policies of all ASEAN member states, the impact of new ASEAN institutions, other than the ASEAN Intergovernmental Commission on Human Rights (AICHR), and the role of the media in promoting regional solidarity.

Studies on ASEAN community building would benefit from further research on how ASEAN member states' domestic politics, level of economic development, and international role, affect their ASEAN policy. Indonesia particularly constitutes an interesting case study for such research, due to the following reasons. Under Indonesia's chairmanship of ASEAN in 2011, the Indonesian leadership highlighted the implications, and prospects, for an “ASEAN Community in a global community of nations.” The President of Indonesia, Susilo Bambang Yudhoyono, noted how ASEAN has to strengthen itself, in order to respond to both traditional and non-traditional security threats at all levels. As stated by Yudhoyono:

The world is faced with great changes... (and) new threat of economic crisis. Continuous uncertainties are haunting the global economy, besides financial fluctuation, like food

security, water security, the issue of energy, climate change...Amidst such great changes, there are also great hopes placed on our region...ASEAN must be part of the solution to global challenges, to facilitate and engage in the resolution.<sup>736</sup>

Indonesia is one of the ASEAN member states which plays a significant role on the international stage due to its large population, its traditional leadership role in ASEAN, and its membership of the Organization of the Islamic Conference (OIC), as well as the G20. This is partly why the Indonesian leadership has emphasized regional consolidation within the wider global context in addition to other reasons for projecting a broad world view, such as the urgency of preparing for a potential global economic recession. Indonesia's chairmanship demonstrates the importance of state leaders in promoting an ASEAN Community, as well as the importance of stable domestic politics to underpin a strong and credible foreign policy. Analyses on the linkage between domestic politics and foreign policy for all ASEAN member states would provide a comprehensive and detailed picture of how democratic, and authoritarian, states promote, or restrict, progress in regional community building.

Research on ASEAN community building would also benefit from analyses of the impact of new ASEAN institutions, such as the ASEAN Institute for Peace and Reconciliation (AIPR). ASEAN member states agreed to set up this institute in November 2011, with the intention that this institute would review ASEAN cooperation, and contribute to peace and reconciliation in the region.<sup>737</sup> At the time of writing, the modalities of this institute have not yet been determined. However, the institute will likely provide another platform for dialogue between ASEAN member states, and possibly offer ASEAN mediation for intra-regional conflicts, as well as promote policy relevant research in the areas of peace and conflict studies. In this regard, the emergence of new ASEAN institutions indicates an

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<sup>736</sup> Quoted in "19<sup>th</sup> ASEAN Summit kicks off in Bali, Indonesia," *Xinhua News*, 17 November 2011, [http://news.xinhuanet.com/english2010/world/2011-11/17/c\\_131251842.htm](http://news.xinhuanet.com/english2010/world/2011-11/17/c_131251842.htm) [accessed on 17/11/11].

<sup>737</sup> "ASEAN to set up review body for peace and reconciliation in 2012," *Xinhua News*, 16 November 2011, [http://news.xinhuanet.com/english2010/world/2011-11/16/c\\_131521071.htm](http://news.xinhuanet.com/english2010/world/2011-11/16/c_131521071.htm) [accessed on 17/11/11].

expanded space for the process of socialization, especially for the reversal of differentiation, the promotion of assimilation, as well as the promotion of dialogue and cooperation between countries that treat bilateral conflicts as a zero-sum game. While it is possible that the ASEAN Institute for Peace and Reconciliation may not be able to promote interactions between countries that are locked in a bilateral conflict, the institute should at least play a significant role in bringing other actors in the region – namely academia and civil society - together to brainstorm activities among the region’s societies, in order to promote bottom-up peace and reconciliation. Thus, there are many possible angles in which to study the impact of new ASEAN institutions on community building, ranging from socialization between states, to networking and coordination among non-state actors for collective action.

In addition to academia and civil society, journalists are also non-state actors which have the potential to play a significant role in regional community building, and can be part of a broader study on the media and regionalism. Journalists in Southeast Asia who write about ASEAN affairs, such as Kavi Chongkittavorn, have argued that the media is a vital player in the process of ASEAN community building.<sup>738</sup> Chongkittavorn notes the establishment of the ASEAN Committee on Culture and Information (COCI) in 1978, and the Confederation of ASEAN Journalists (CAJ) in 1979, which have done little to promote cooperation and solidarity among journalists in Southeast Asia. He draws on the experience of the European Union (EU), to demonstrate how the media has the potential to serve as an active conduit for promoting regional identity and integration, as well as a sense of sharing common values, norms and standards. However, studies on the EU demonstrate that shared knowledge via social networks and the media can also undermine regional community building, if the shared knowledge reinforces negative views of regional institutions as

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<sup>738</sup> Kavi Chongkittavorn, “Media and Civil Society: Vital Players ASEAN Must Embrace,” *The Nation*, 19 September 2011.

irrelevant to people's lives at the national level.<sup>739</sup> Such studies could be carried out within ASEAN to identify the negative and positive impact of social networks and the media on society's perceptions of the ASEAN Community. These studies would be beneficial in explaining society's support, or the lack thereof, for the ASEAN Community, and contribute to the existing discourse on the pro and anti-ASEAN community building process.

ASEAN has its problems of intra-regional conflicts and the lack of a social dimension to regional community building; however, it has, at the very least, made incremental steps to manage these conflicts, and to provide for state-CSO meetings. ASEAN member states have a tendency to perceive a conflict of interests between regime security and the reversal of differentiation, due to historical legacy and nationalist sentiment. Moreover, they also have a tendency to perceive a conflict of interests between regime security and regional institutions on human rights and non-traditional security issues, due to concerns over national sovereignty and an aversion to any form of external interference. In this regard, ASEAN community building requires a change of mind-set on the part of both state actors and society: a change from nationalist differentiation to regional assimilation; as well as a change from a lack of trust and confidence in regional institutions, towards support for these institutions, and a perceived need to strengthen them for regime legitimacy and political support from society.

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<sup>739</sup> Hajdeja Igljic, "The relational basis of attachment to Europe," in William A. Maloney and Jan W. van Deth, eds., *Contextualizing engagement and political orientations* (London: Routledge, 2007), 193.

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