ASEAN's Theoretical Concept of Strategy in Regional Security Approach

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ABSTRACT

Title: ASEAN's Theoretical Concept of Strategy in Regional Security Approach

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This study embarks on a constructivist theoretical framework to understand ASEAN's strategy in managing regional security and its wider regional environment. The study also theorise that ASEAN adopts the strategy formulation model of ends, means and ways. Essentially, the study will focus on and identify what are the ASEAN ways and means in managing regional security, using the constructivist approach.

It argues that the perpetual peace enjoyed by the region is due to ASEAN's constructivist approach of socialisation within norms; the theoretical concepts for ASEAN's strategy in regional security approach. This study further explores the norms that shape the behaviour and conduct of member states and participants while socialising. The constitutive norms provide the framework for regional security approach and regulative norms decide how actors behave in conforming to the constitutive norms in achieving regional security. This study further argues that institutions act both as agents of socialisation and as regulative norms. This study concludes with the observation that the constructivist approach better explains ASEAN's strategy in regional security approach in Southeast Asia and the wider Asia-Pacific region. It has shown that the higher the level of socialisation among actors the higher will be the level of cooperation leading to a higher level of security and amity. The lack of war is the proof. The study also found that the non-official approach, Track Two and Track Three, supplement the official approach in managing security, due to its flexibility in addressing the strict adherence to ASEAN's constitutive norms. It is how these norms are being utilised that provides the essence to the ASEAN ways and means. The thesis concludes that the ASEAN Way will not wither away, even in the face of constant criticisms because its benefits outweigh the shortcomings. The most significant empirical evidence is the willingness of major powers, notably the US and China, to accede to ASEAN's norms in managing regional security.

Preface

Throughout its existence ASEAN by far is the most successful sub-region in Asia to maintain peace and stability hence avoiding war, a phenomena and reality that deserved to be studied. Realist explained this phenomenon from the balance of power and security dilemma perspectives, highlighting attempt by states to acquire more and more power in order to escape the impact of the power of others with the intention of safeguarding their own security through defence expenditures. However, what realism failed to highlight are the indication of security dilemma in ASEAN, hegemonic regionalism in ASEAN or a meaningful defence pact or alliance in ASEAN. In fact, historical evidence pointed out that the sub-region during pre-ASEAN era was referred to as the Balkans of the East and region of dominoes due to power balancing approach in managing regional security. Hegemony rears its ugly head in the form of Indonesia and Vietnam, invading Malaysia and Cambodia respectively. Both incidents occurred outside the domain of ASEAN. Furthermore, regional security approach based on power in the region had failed miserably as evidence in the failure of SEATO. In highlighting the effects of realist approach in managing regional security, it does not totally negate the concept of power but merely highlighting shortcoming of realism in explaining ASEAN regional security approach; how power is being used in managing security.

Realists also contend that ASEAN's survival and role have been dependent on and shaped by, a wider regional balance of power system underpinned by the United States military presence. Another contending approach regarding ASEAN is labelled as neo-liberalist. The neo-liberal approach differs from the realist formulation by assuming that states mitigated the effects of anarchy through cooperation. States will cooperate as long as each state reaps absolute gain from the interaction and it does not really matter who gains more. The incentives and mechanisms for cooperation in this context are mostly through trade and international commercial activities.

ASEAN was formed to avoid history from repeating itself and that realist and liberalist theories do not adequately explain the nature and the dramatic changes that have occurred in the

world system since the end of Cold War, particularly in the Asia Pacific region. This is largely because both approaches place emphasis on state's material interests. More importantly, the focus on the states alone as the main actors do not take into consideration the influence of non-state and individual level political or ideological factors in shaping regional security.

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CONTENTS OF FIGURES

CHAPTER I

INTRODUCTION

BACKGROUND AND IMPORTANCE OF THE PROBLEM

The study of regional security approach had never stirred greater interest than among the Third World countries, especially after the demise of the Cold War. The end of Cold War has brought about fundamental shifts in global and regional alignments, calling for new approach to peace and security. Acharya list five issues of the Cold War demised that have a profound impact towards Third World countries regional security approach. First, regional frameworks have found a new appeal partly in response to the perceived limitations of the United Nations peace and security role in a unipolar system; second, the transformation of sub-regional security arrangements towards a more inclusionary outlook; third, the growing preference of Third World countries for regional arms-control and disarmament measures; fourth, the weakening of regional military arrangements among Third World countries and fifth, the growing salience of economic security as a regional concern.[1]

Regional security approach refers to the orientations and predispositions of a group of states towards the means of achieving regional security. A region's approach to security is often reflected in how member states construct their relations within and outside their grouping in their quest for regional security. Factors such as shared value systems, mutual flow of ideas and level of social communication all become important in shaping security policy orientations of states.[2]

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[1] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, Times Media Pvt Ltd, Singapore, 2003, pp. 33-35.

[2] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way,* ISEAS Publications, Singapore, 2005, p. 23.

As third world countries explore new security strategies to deal with the dangers and uncertainties of a unipolar world, the relevance of regional approach has become an important policy, meriting a fresh appraisal of the historical record of existing regional groups and exploring the possibilities of new approach opened up by the end of superpower rivalry. ASEAN, as a group of third world countries aspiring to become security community, is no exception to this quest.

ASEAN was formed in 1967, initially with five founding members Malaysia, Indonesia, Singapore, Thailand and Philippines. ASEAN was formed after the Malaysia-Indonesia *Konfrontasi* and with the backdrop of Malaysia-Philippines border disputes. In 1984 Brunei joined ASEAN and after the Cold War, ASEAN former communist adversaries joined the association: Vietnam and Myanmar in 1995, Laos in 1997 and Cambodia in 1999. Throughout its existence ASEAN by far is the most successful sub-region in Asia to maintain peace and stability hence avoiding war, a phenomena and reality that deserved to be studied.

Since its inception ASEAN has weathered through numerous conflicts and crisis. Critics of ASEAN however are still sceptical towards ASEAN success. They contend that ASEAN's survival and role have been dependent on and shaped by, a wider regional balance of power system underpinned by the United States military presence. Underlying this view is the quintessential realist assumption that the smaller and weaker states of the international system, whether acting individually or through institutions, lack the capacity to play a managerial role in ensuring order and must therefore depend on the resources and leadership of great powers.[3] There are also critics that portray ASEAN as a delusional institution and all its success was fortuitous and not through ASEAN way and capability of managing order.[4]

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[3] A. Acharya, Constructing A Security Community in Southeast Asia, Routledge, London, 2001, pp. 6-7.

[4] D.M. Jones & M.L.R. Smith, *ASEAN and East Asian International Relations: Regional Delusion*, Edward Elgar, Cheltenham, 2006, p. 7.

ASEAN's critics also highlighted the persistence of intra-ASEAN disputes and ASEAN's failure to develop concrete institutional mechanisms and procedures for conflict resolution. They also cited the continuing differences and disagreements among members on how to deal with non-members and external powers. ASEAN tendency to deal with intra-mural conflicts by sweeping them under the carpet, rather than resolving them were also put into question.[5]

However, this study intends to prove that ASEAN regional security approach is not fortuitous, but through a well created strategy with the end state of being a security community. A well crafted strategy, which can actually be explained conceptually by the theory of international relations. This study further embarks to identify and explain, theoretically and operationally ASEAN's strategy of regional security approach.

PURPOSE OF RESEARCH

The following objectives have been identified for the research:

1. To explain ASEAN's theoretical approach of strategy in managing regional security;

2. To identify and explain ASEAN's ways and means of managing regional security, theoretically and practically;

3. To explain how ASEAN operationalise the ways and means to achieve its ends.

ASSUMPTIONS

This study takes an assumption that the 1967 Bangkok Declaration and the ASEAN Charter forms the identities and interests of ASEAN, an end state in ASEAN's strategy of regional security approach. This study further takes an assumption that ASEAN's strategy of regional security approach can be conceptually explained by the social construction theory of constructivism, through socialisation of norms. This study also takes an assumption that socialisations of norms are the ways and means of ASEAN regional security approach.

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[5] A. Acharya, Constructing A Security Community in Southeast Asia, pp 5-6.

Socialisation breeds familiarity and familiarity leads to amity. It is assume, the higher level of socialisation among actors the higher will be the level of cooperation and the higher the level of security and amity will be. Socialisations and interactions alienate the contributing factors towards insecurity such as fear, mistrust, uncertainty, violence, aggression and war. Socialisations generate ideas that lead to the development of more socialisation platforms or institutions. The concept requires a structure or institutions for actors to socialise. In this context, institutions or structures are agents for socialisation. This study assumes that socialisation in practical provides the ways for ASEAN strategy in regional security approach.

This study also assumes that, to make it work, socialisation has to be governed by a set of norm. In regulating security, the constitutive norms provide the policy for security while the regulative norms are the specific measures in managing ASEAN regional security, thus providing the main flavour for the ASEAN Way. The study also assumes that ASEAN emphasise on processes, methods and techniques rather than results in managing conflicts. Since ASEAN is an institution, this study further assumes that norms through socialisation process in institutions such as regionalism and multilateralism creates ASEAN's regional security approach. Finally, this study takes an assumption that ASEAN's regional security approach goes beyond the state as the level of analysis.

SCOPE AND OF THE RESEARCH

This study focuses on the effects of socialisation of norms on ASEAN regional security approach. A concept in explaining how ASEAN developed and operationalised its ways and means in managing regional security. This study also adopts an endogenous perspective of ASEAN regional security approach rather than an exogenous approach, i.e. how socialisation, norms and identities affect the behaviour of wider regional actors, especially involving major powers rather than vice versa. Regional security in this study is interchangeable between ASEAN as a sub-region and the wider Asia-Pacific region where applicable. The distinct limitation in this study is time. Less than a year is profoundly inadequate to establish a meaningful research in strategic studies. This

restrictions leads to the limitations in exploring all the ways and means of ASEAN's strategy in managing regional security.

LITERATURE REVIEW

Constructivism

Constructivism is a label given to a wide variety of approach to International Relations that range from modernist constructivism to critical constructivism. Despite the various strands of constructivism in IR theory, what all varieties of constructivism share is a belief that no objects of our knowledge are independent of our interpretations which produced social reality. Rather, social meaning is constructed and reconstructed by social interaction which creates certain mechanism of norms, identities and interest that guide human actions.[6]

Constructivism can be identified with three basic claims that serve as a useful starting point: first, normative and ideational structures are just as important as material structures; second, understanding how non-material structures condition actors' identities is important because identities inform interests and in turn, actions; third, agents and structures are mutually constituted.[7] The first claim implies that instead of focusing solely on material incentives, constructivists emphasise the importance of shared knowledge, learning, ideational forces and normative and institutional structures. In this sense, as Hurell argues, the constructivist approach focuses on regional awareness and regional identity, on the shared sense of belonging to a particular regional community and on what has been called cognitive regionalism.[8]

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[6] E. Adler, Seizing the Middle Ground: Constructivism in World Politics, *European Journal of International Relations*, 1997, Vol. 3, No. 3, pp. 319-363.

[7] C. Reus-Smit, Constructivism in Burchill & Devetak (eds) *Theories of International Relations*, Palgrave, Houndsmill, 2001, p. 216.

[8] A. Hurell, Explaining the Resurgence of Regionalism in World Politics, *Review of International Studies*, 1995, Vol. 21, p. 352.

Constructivism also concerns the issue of human consciousness.[9] Its central matter concerns the role of ideas, norms and identities, as opposed to material factors, in the study of institutionalism. For constructivists, ideas are not just rules for action; rather ideas operate to shape actors and action in world politics.[10] This means that ideas not only constrain actors but also constitute actors and action. In fact, where neo-realists stress the material structure of the balance of military power which can determine the way that states should act, constructivists argue that systems of shared ideas, beliefs and values also have structural characteristics and that they exert a powerful influence on social and political action.[11] For example, the ideas and values of the ASEAN Way are crucial to understanding and explaining ASEAN's regional security approach. In this context, Wendt argues that although rationalists such as neo-realists and neo-liberal institutionalists believe that material structures are the driving force behind international politics, indeed, material resources only acquire meaning for human action through the structure of shared knowledge in which they are situated.[12]

The second claim indicates that identities are important because they frame the interests of actors: that is, identities are the basis of interests.[13] For the relationship between identities and interests, Hopf argues that in telling "who are you", identities strongly imply a particular set of interests or preferences with respect to choices of action in particular domains and with respect to particular actors.[14] In fact, constructivism focuses on the inter-subjective nature of regional bodies, in which developing a shared sense of belonging or regional identity and interest is regarded as a significant part of institutionalising regional cooperation. Unlike a rationalist approach, the constructivist approach examines how identities and interests of actors are constructed within the context of different processes of interaction, cultures and histories. Within this context, the constructivist approach is more than an economic approach in an institution; it is,

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[9] J.G. Ruggie, *Constructing the World Polity: Essays on International Institutionalisation*, Routledge, London, 1998, p. 33.

[10] A. Wendt, *Social Theory of International Politics*, Cambridge University Press, Cambridge, 1999, pp. 92-138.

[11] C. Reus-Smit, Constructivism, pp. 216-217.

[12] A. Wendt, Constructing International Politics, *International Security*, Summer 1995, Vol. 20, No. 1, p. 73.

[13] A. Wendt, Anarchy is What States Make of It: The Social Construction of Power Politics, *International Organisation*, 1992, Vol. 46, No. 2, p. 398.

[14] T. Hopf, The Promise of Constructivism in International Relations Theory, *International Security*, Summer 1998, Vol. 23, No. 1, p. 175.

rather, a social approach. The constructivist approach attempts to explore how the sharing of norms, ideas and identities is conducive to the character and emergence of regional cooperation and regional arrangements.

Thus, if it can be argued that constructivists do not take identity and interests as a given and fixed result, but rather as a constitutive open-ended process. In this context, Wendt describes the process by which identities are formed and come to frame interests as socialisation: that is socialisation is in part a process of learning to conform one's behaviour to societal expectations.[15] Rationalist on the other hand does not specified who the actors are or how their interests are constituted; they only explain how states should choose or how they should bargain; they just offer answers to some questions about when states should cooperate or when they might be expected to fight.[16] Constructivists, in contrast, assert that understanding how actors form their interests is crucial to explaining a wide range of international political dynamics that rationalists neglect or misunderstand.[17] As Wendt explains, identities and interests are endogenous to interaction, rather than a rationalist-behavioural one in which they are exogenous.[18] Borrowing from Wendt famous statement, I further add that identities and interests are what states make of it. In the context of this study, the identity and interests are regional security.

Finally, constructivists argue that agents do not exist independently from their social environment. Thus, state interests emerge from an environment in which states operate and are endogenous to states' interaction with their environment.[19] Social world involves thoughts, beliefs, ideas, concepts, languages, discourses, signs and signals. People make social world, which is meaningful in the minds of people. In other words, at the hearth of constructivist work is that social environment defines who we are, our identities as social beings.[20] In addition, normative or ideational structures do not exist

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[15] A. Wendt, *Social Theory of International Politics*, p, 170.
[16] P. Kowert, National Identity: Inside and Out, *Security Studies*, 1999, Vol. 8, No. 2/3, p. 2.
[17] C. Reus-Smit, Constructivism, p. 217.
[18] A. Wendt, Anarchy is What States Make of It: The Social Construction of Power Politics, p. 394.
[19] T. Risse, Neo-functionalism, European Identity and the Puzzles of European Integration, *Journal of European Public Policy*, 2005, Vol. 12, No. 2, p. 291-309.
[20] A. Wendt, *Social Theory of International Politics*, p. 5.

independently from social environment. Constructivists focus both on differences among people and how those relations are formed by means of collective social institutions.[21]

For example, the ARF was constructed by the member states of ASEAN in order to meet the external as well as internal demand for advancing regional security in reaction to the changing international environment.

Within this context, it can be assumed that ASEAN's regional security approach is produced by the member states of ASEAN. Given that human action can be realised in certain historical circumstances that condition the possibilities for action and influence its course, as mentioned above, it can be argued that ASEAN and the emergence of ARF could be realised in a new and changing international milieu and a recognition that many of the problems and threats faced by the region which can only be addressed through increased cooperation in the post-Cold War era. Nonetheless, the ARF was constructed by ASEAN in their own ways: for ASEAN rejected Western ideas on the forum and tried to develop regional security on the basis of the regional norms of the ASEAN Way.

Given that regional security not only evolve from conscious political projects of member states, but also create new ideational structures that socialise both members and non-members into unique type of practices, therefore, the third claim which is closely related with agent-structure problem should be emphasised for understanding and explaining ASEAN's regional security approach.

Although there is considerable division between different brands of constructivism, all constructivists – with the exception, perhaps, of the extreme post-modernist wing of radical constructivism – agree that reality is socially constructed, that ideational structures condition the identities and interests of agents and hence form their actions and that the relationship between agent and structure is mutually constitutive.[22] With regard to the mechanisms of regional security approach, it is paramount to mention three concepts that emanate from constructivism that indicate how regional security

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[21] Jackson and Sorenson, quoted in N. Karacasulu & E. Uzgören, Explaining Social Constructivists Contributions Towards Security Studies, *Perceptions*, Summer-Autumn, 2007, p. 32.
[22] A. Wendt, *Social Theory of International Politics*, pp. 20-23.

approach is constructed and reconstructed. These concepts are institutions, norms and identity.

Institutions

Institutions are defined as relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations. Institutions become the locus of socialisation and reinforce states practices. Socialisation in turn becomes the dominant mechanisms through which states are taught and persuaded to adhere to norms. Moreover, it is the mechanism through which new states are induced to change their behaviour by adopting those norms preferred by an international society of states.[23] In this context, the study takes an approach that, institution is an agent of socialisation, govern by norms in conforming actors behaviour.

Apart from that, the mechanism of institutions can be explained by inter-subjective factors, such as ideas, norms and beliefs, which are conducive to developing interests and identities in an institution. Constructivism focuses on the inter-subjective nature of regional groupings, where developing a regional identity or shared senses of belonging is seen as essential part of institutionalising regional security.[24] In contrasts to the rational view, constructivist's offers a more qualitatively deeper view of how institutions may affect and transform state interests and behaviour. In this view, institutions do not merely regulate state behaviour but it can also create state identities and interests.[25] Interests from a constructivist point of view are not given but emerge from a process of interaction and socialisation.[26] In this context, the study takes an approach that, regional security can be identified as an interest.

Adler's present his view on institutions as, by socialising norms, international organisations may be able to shape state practices. Even more remarkable, however,

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[23] M. Finnemore & K. Sikkink, International Norm Dynamics and Political Change, *International Organisation*, Autumn 1998, Vol. 52, No. 4, p. 902.

[24] G.D. Hook & I. Kearns, *Sub-regionalism and World Order*, Palgrave Macmillan, London, 1999, p. 3.

[25] A. Acharya, Constructing A Security Community in Southeast Asia, p. 22.

[26] J.T. Checkel, The Constructivists Turn in International Relations Theory, *World Politics*, January 1998, Vol. 50, p.326.

international organisations may encourage states and societies to imagine themselves as part of a region. This suggests that international organisations can be site of interest and identity formation. Particularly striking are those cases in which regional organisations have been established for instrumental reasons and later and unexpectedly gained an identity component by becoming a new site for interaction and source of imagination.[27] Taking Adler's view, regional institutions or regionalism breeds identity and interest through socialisation.

As Adler and Barnett argue, although international relations theory traditionally views international institutions as constrains on state actions, institutions may be seen as structure or processes; in fact, a key constructivist point is that norms and institutional contexts constitute actors and constrain choices.[28] Acharya further promotes this idea by highlighting that ASEAN is more concern with the norm and process of interaction in managing a dispute, to maintain regional security, rather than the outcome of the dispute.[29]

Adler and Barnett also present the effect and role of institutions: first, the development of mutual trust through norms; second, the forming of shared identity; third, the creation of regional culture or value system, involving democracy and human rights; finally, the cultivation of social learning which represents the capacity of social actors to manage and even transform reality by changing their beliefs of identity and material and social world.[30] Such an approach looks beyond the formal bureaucratic apparatus and legal-rational mechanisms of institutions.[31] Acharya further suggests that institutions such as multilateralism could involve the less formal, less codified habits, practices, ideas and norms of institutions. These could be developed through consultations, dialogue and socialisation; indeed, the absence of formal legal-rationalistic cooperation may be more desirable than the establishment of a formal intergovernmental authority.[32] This idea is further supported by Palmujoki by indicating that constructivists

[27] E. Adler, Seizing the Middle Ground: Constructivism in World Politics, p. 345.
[28] E. Adler & M. Barnett, A Framework for the Study of Security Communities, in Adler & Barnett (eds), *Security Communities*, Cambridge University Press, Cambridge, 1998, p. 42.
[29] A. Acharya, Constructing A Security Community in Southeast Asia, p. 23.
[30] Ibid, pp. 43-44.
[31] Ibid, p. 23.
[32] Ibid. pp. 23-24.

emphasise institution building which does not entail diminishing national sovereignty,[33] retaining an informal and non-legalistic institution towards an informal and non-legalistic security approach. This suggests for the necessity of bringing down the level of analysis beyond states, such as corporate and non-governmental engagement.

Norms

The concern with norms makes constructivists to see actors and structure much differently from the rationalist concepts of studying regional security approach. Although different views exist between neo-realism and neo-liberalism in terms of the possibilities for interstate cooperation in regional and global structure, both approaches assume a world control by rational actors whose relations are formulated by the balance of power.[34] Nonetheless, according to Wendt, norms are inter-subjective beliefs about the social and natural world that define actors, their situations and the possibilities of action. Norms are beliefs rooted in and reproduced through social practice.[35]

Institutions are social community and they rely on norms for actors to act and react. According to Katzenstein, constructivists views norms as regulatory and constitutive in shaping, depending on the level of analysis, states and institutional behaviour. Norms not only prescribe and regulate behaviour but also define and constitute identities.[36] In this context, constitutive norms drives actors to function within the regulative norms and certain norms can be understood in the context of regulative and constitutive.

In another literature, Katzenstein defines norms as legal and social. Legal norms are formal rationalistic principle of laws. It is mostly effective when informal social controls break down. Social norms are what create the basis of those informal social

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[33] E. Palmujoki, *Regionalism and Globalism in Southeast Asia,* Palgrave Macmillan, London, 2001, p. 8.

[34] R. Jervis, Realism, Neo-liberalism and Cooperation: Understanding the Debate, *International Security*, Summer 1999, Vol. 24, No. 1, pp. 44-47.

[35] A. Wendt, Constructing International Politics, pp. 73-74.

[36] P.J. Katzenstein, Introduction: Alternative Perspectives on National Security, in Peter Katzenstein (ed) *The Culture of National Security: Norms and Identity in World Politics,* Columbia University Press, New York, 1996, pp. 1-29.

controls.[37] This means that legal are regulative norms that creates boundary for actors action and behaviour, which will be invoke if there is a requirement for it. Social norms are informal or constitutive norms that acts as the primary norms in constituting actors action and behaviour.

Kratochwill defines norms as the standards of behaviour defined in terms of rights and obligations.[38] Kratochwill further offers three ordering functions of norms: first, by ruling out certain methods of individual goal seeking through stipulation of forbearances, norms define the area within which conflict can be bounded; second, within the restricted set of permissible goals and strategies, rules that take the actors' goals as given can create schemes or schedules for individual or joint enjoyment of scarce objects; third, norms enable the parties whose goals and strategies conflict to sustain a discourse on their grievances, to negotiate a solution, or to ask a third party for a decision on the basis of commonly accepted rules, norms and principles.[39] Furthering Kratochwill's ideas, this study takes an approach that norms define the mechanism for institutional security approach.

Norms are code of conduct, both in the formal and informal sense, in an institution. Norms are social practices. Most importantly, norms are social practices and processes in binding or conforming member states towards an identity. In Southeast Asia, the norms that underpin ASEAN has, to a varying degree, been utilised in shaping regional security approach. Norms however, are not fixed in their definition and function, but rather open to be structured and restructured in the member states own intent and interest. When Katzenstein said, norms not only regulate behaviour, they also constitute new interests and identities, meaning, certain norms can be understood in the constitutive context as well as the regulatory.

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[37] P.J. Katzenstein, *Cultural Norms and National Security: Police and Military in Post-War Japan*, Cornell University Press, New York, 1996, p. 43.

[38] F.V. Krachtowill, *Rules, Norms and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*, Cambridge University Press, Cambridge, 1989, p. 59.

[39] Ibid, p.70.

Identity

Identity refers to positive identification with the welfare of the other, which is regarded as a cognitive extension of the Self rather than as an independent: in this context, identity can be regarded as an essential element for the sense of solidarity, community and loyalty.[40] According to Hasenclever, identity implies that regional actors respect each other as members of a community in which decisions are taken on a consensus basis.[41] For ASEAN, this means that regional identity can be understood as the basis of regional consensus such that peace and stability in the region cannot be realised without regional solidarity to address security issues.

As mentioned above, identity is a basis for the feelings of solidarity, community and loyalty and for collective definition of interests. Yet, this does not mean that state actors no longer calculate costs and benefits, but rather they do so based on a higher level of social aggregation: this then facilitates collective action by increasing diffused reciprocity and the willingness to bear costs without selective incentives.[42] This means that identity in ASEAN rests primarily on the We-feeling in dealing with regional security issues.

Wendt also posed the difference between alliances and collective security arrangements, which are both instructive. Wendt considers alliances as a temporary coalition of self interested states who join together for instrumental reasons in response to a specific threat. As the threat diminished, the basis for the alliance also disintegrates and disbanded. With collective security arrangements, states make commitments to multilateral action against non-specific threat. As such, multilateral institutions, collective identity is not a sine qua non for its creation, but nevertheless it provides an important foundation for member states to increase the willingness to act based on generalised principles of conduct and diffuse reciprocity.[43]

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[40] A. Wendt, Identity and structural change in international politics, In Y. Lapid & F.V. Kratochwil, (eds) *The Return of Culture and Identity in IR Theory*, Boulder: Lynne Rienner Publishers, Boulder, 1996, p. 52.

[41] A. Hasenclever, *Theories of International Regimes*, Cambridge University Press, Cambridge, 1997, p. 186.

[42] A. Wendt, Identity and structural change in international politics, p.53.

[43] Ibid.

As a region, ASEAN rejects military alliance as a regional security approach due to the concept Westerners and colonial origins, and its prospect of power balancing and security dilemma, the failure of SEATO was indicative. This gives an indication that ASEAN rejects a Western approach of managing security in preference of its own way. This also leads to an indication that ASEAN prefer for a collective and consensus regional identity in managing security and developing an endogenous regional security mechanisms based on member states interests.

Constructivism in Regionalism

Regionalism implies a complex concert, harmonisation and compromise of national economic, political and sometimes even security interests among states which is companied by an adjustment of regional interstate relations. Therefore, the development of regionalism itself is a dynamics of regional international relations. Regionalism is usually associated with a policy programme (goals to be achieved) and strategy (means and mechanisms by which goals should be reached) and it normally leads to the creation of regional cooperative enterprises (organisation or institutions).[44]

The notion of regionalism is also about perceptions, identities and ideas. Most commonly it is a perception of regional awareness and belonging. One of the five categories of regionalism[45] in Hurrell study is regional awareness and identity, which is a shared perception of belonging to a particular community, often defined in terms of common culture, history or religious tradition; definition based on commonalities and shared understandings in order to give prominence to the particularities of each individual region and to highlight the uniqueness of each regionalism. Regionalism also represents the body of ideas promoting an identity that represents one specific region[46].

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[44] E.B. Haas, The Study of Regional Integration: Reflections on the Joy and Anguish of Pretheorising in Lindberg & Scheingold (eds), *Regional Integration Theory and Research*, Harvard University Press, Cambridge, 1971, p. 3.

[45] A. Hurrell, Regionalism in Theoretical Perspectives in L. Fawcett & A. Hurrell (eds), *Regionalism in World Politics: Regional Organisation and International Order*, Oxford University Press, Oxford, 1995, pp. 39-45.

[46] M. Spindler, New Regionalism and the Construction of Global Order, CGSR Working Paper No. 93/02, at http://www.csgr.org

This indicates that geographical area is transformed from a passive object to an active subject capable of articulating the transnational interests of the emerging region[47]. In this sense, regionalism embodies the advocacy of regional cooperation which can be a political slogan as well as an ideology such as the ASEAN Way.

Regionalism also represents a practice and process of norm creation. The new regional cooperative enterprises not only ensure the commitment of national government and the credibility of cooperation but also serve as what Finnemore and Sikkink call norm entrepreneurs[48] which are essential to construct the regional cognitive frames from which regional norms and joint obligations emerged. They are also critical in promotion of new norms to take place, consistent with the norm entrepreneur's ideational commitment. Ruggie argues that when regional norms and joint obligations are incorporated into the determinants of national decisions, a regional legitimate authority emerges[49]. Actors are multiple in this process, both state and non-state actors, including epistemic communities which all contribute to promoting new ideas and norms inside and outside norm entrepreneurs. This reflects an institutionalisation and socialisation process.

Since regionalism encompassed identity, advocacy, ideology and norms, it inevitably represents normative practices by whoever the agent is, state or non-state actors – institutions, political elites or academia. Regionalism is a socially constructed institution, which is both, breeds and governed by norms, identity and interest. Regionalism is also an institution whereby actors socialise, governed by norms, towards identities and interests. In this sense, socialisation in institutions breeds familiarity, consensus and agreeing to disagree among actors. Socialisation within norms also alienates fears, violence and enmity, sources for insecurity.

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[47] B. Hettne & F. Soderbaum, Theorising the Rise of Regioness, *New political Economy*, 2000, Vol. 53, No. 3, p. 461.

[48] M. Finnemore & K. Sikkink, International Norm Dynamics and Political Change, p. 896.

[49] J.G. Ruggie, *Constructing the World Polity: Essays on International Institutionalisation*, pp. 59-61.

Constructivism in Multilateralism

Ruggie defined multilateralism as an institution that coordinates national policies in group of three or more states on the basis of certain principles of ordering relations among those states.[50]

Caporaso provide another succinct understanding of multilateralism:

> As an organising principle, the institution of multilateralism is distinguished from other forms by three properties: indivisibility, generalised principles of conduct, and diffuse reciprocity. Indivisibility can be thought of as the scope (both geographic and functional) over which costs and benefits are spread…Generalised principles of conduct usually come in the form of norms exhorting general if not universal modes of relating to other states, rather than differentiating relations case-by-case on the basis of individual preferences, situational exigencies, or a prior particularistic grounds. Diffuse reciprocity adjusts the utilitarian lenses for the long view, emphasizing that actors expect to benefit in the long run and over many issues, rather than every time on every issue.[51]

For the purpose of this study, multilateralism is an institution governed by its principles of conduct/ ordering or norms. Caporaso's definition also highlights indivisibility and diffuse reciprocity as aspects of multilateralism. If multilateralism is to be successful, its different actors need to understand that they are working toward a greater future benefit that will require certain sacrifices to be made, to different extents, by different actors. Developed and developing nations will have different roles to play in cooperative efforts, given their different needs and capabilities, and based upon these

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[50] J. G. Ruggie, Multilateralism: The Anatomy of an Institution, *International Organisation*, Summer 1992, Vol. 46, No. 3, pp. 566-568.

[51] J. Caporaso, International Relations Theory and Multilateralism: The Search for Foundations, *International Organisation*, Summer 1992, Vol. 46, No. 3, pp. 600-601.

differences, the benefits of cooperation will seem more immediate to some actors than to others. I would akin these to the breeding of identity and interests of an institution.

THEORETICAL FRAMEWORK

Theoretically, this study adopt a thesis that ASEAN's theoretical concept of strategy in regional security approach can be explained by the social construction theory of constructivism. Central to the constructivist approach is that anarchy is what states make of it. Anarchy in a formal sense is the absence of a central authority. However, anarchy has also been used in reference to disorder or insecurity, and since anarchy is not a positive or negative connotation, it can also refer to security. Wendt further elaborate by indicating that the only logic about anarchy is processes and structure and it is endogenous, not exogenous. As such it defines the socio-political framework in which international relations occur. From these perspectives, ASEAN's regional security is what states make of it, both its members and non-members. This means that ASEAN's regional security is a social reconstruction of reality where what the actors (region, states, organisations and people), depending on the level of analysis, believe shapes what they do. In short, it is all about human consciousness and how it is applied to international relations because region, states and organisations is being driven or shaped by humans, as opposed to rational theories indicating anarchy dictates state actions and the level of analysis stops at states.

Central to the theory of social construction are the concepts of institutions, norms and identities. Central to the concept of institutions is that, institution act as an agent of socialisation. Socialisation in turn becomes the dominant mechanisms through which states are taught and persuaded to adhere to norms. By socialising norms, institutions shaped state practices. Constructivists view norms as regulative and constitutive. Norms define the area within which conflict and states action can be bounded. Identity is the final process in social construction theory, before regional security is achieved. Identity can be understood as consensus, solidarity, community and we-feeling. Identity is created by the process of norms socialisation in institutions. The higher the level of norms socialisation, the higher will be the level of identity and the higher will be the

level of regional security. Figure below provides a graphical representation of ASEAN's theoretical concept of strategy in regional security approach theoretical framework.

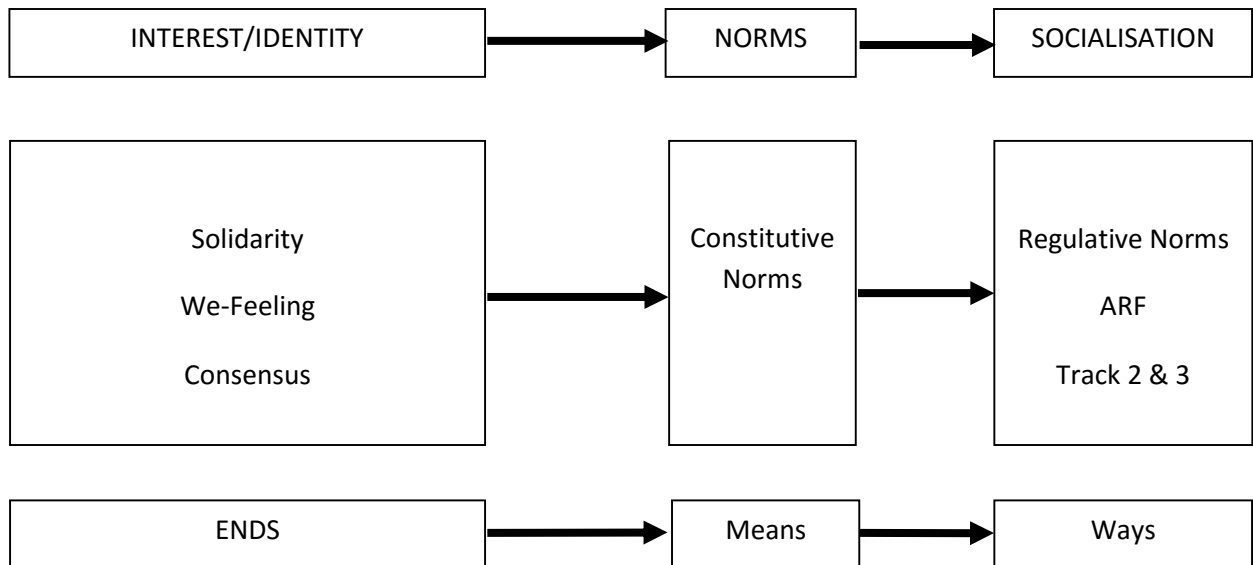| INTEREST/IDENTITY	→	NORMS	→	SOCIALISATION
Solidarity We-Feeling Consensus	→	Constitutive Norms	→	Regulative Norms ARF Track 2 & 3
ENDS	→	Means	→	Ways

Figure 1.1 ASEAN's Theoretical Concept of Strategy in Regional Security Approach Framework

Since building regional security is about alienating the cause of insecurity (sceptics, mistrust, fear and violence, conflicts), this study argues that it can be achieved by getting actors to socialise and interact within a commonly accepted institutions, since institutions are the locus of socialisation and reinforce state practices: socialisation breeds familiarity and familiarity breeds amity. This study also put forth an argument that, in practice, ASEAN adopts regionalism to handle regional issue within, multilateralism beyond and the Track Two and Three approaches to handle issues beyond state limitations.

RESEARCH METHODOLOGY

The study employed the qualitative method, adopting the theory verification framework, deducing data and concepts along the way. Applying this method enables the researcher to capture traditional perspectives and newer advocacy of qualitative inquiry via

secondary data. Secondary data, mainly from literature reviews, books, journals and internet will be the dominant source for the research. The main reason for utilising secondary data is because it has rich intellectual credit and easy accessibility. At the same time, data from literatures strengthens ideas and arguments put forth in this study.

CHAPTERISATION

Chapter 1: Introduction

This chapter framed the conceptual approach towards the study of ASEAN theoretical concept of strategy in regional security approach. This chapter consists of Introduction, Problem Statement, Research Objectives, Assumptions, Literature Review, Theoretical Framework, Research Methodology and Scope and Limitations of the Study. This chapter is the foundation of the study by building the framework and developing its conceptual and theoretical approach. This chapter also addresses the first research objectives of explaining ASEAN's theoretical approach in managing regional security.

Chapter 2: Norms and Socialisations: Theorising and Operationalising ASEAN Strategy

This chapter attempts to further theorise ASEAN strategy in managing regional security. The chapter will start by identifying and explaining the rationale of ASEAN objectives and interest. It will further theorise ASEAN ways and means in managing regional security. This chapter will also seek to prove how together, ASEAN norms and mechanism, or ideas and actions were operationalised by ASEAN in handling regional security issues; why and how the norms influenced ASEAN's strategy in managing regional security.

Chapter 3: ARF: ASEAN Endogenic Strategy

This chapter endeavour to provide further empirical evidence on ASEAN ways and means in managing regional security. Presenting how ASEAN advanced its role and position, using the ASEAN ways and means, into a wider regional setting, in creating the

foundation for an Asia Pacific Way of multilateralism. This chapter will also argue the strength and limitation of ASEAN's regional security approach in a wider regional context.

Chapter 4: Track Two and Track Three: The Backdoor Strategy

This chapter presents Track Two and Track Three functioning as an agent of socialisation and at the same time as ASEAN ways or specific measures in managing regional security. This chapter also argues that Track Two and Track Three are regulative norms and supplement the formal approach in ASEAN and ARF in managing regional security. More importantly, this chapter will present how ASEAN extended quiet diplomacy, using these mechanisms to maintain the full spectrum of security, especially societal and environmental, at the same time strictly adhering to the constructive norms stipulated in the Treaty of Amity and ASEAN Charter.

Chapter 5: Conclusion

This chapter provides the findings of the study, first by negating or agreeing to the assumptions; second, to answer the research questions posed in the problem statement; and finally to address the objectives of the research.

<div align="center">**CHAPTER II**</div>

<div align="center">**NORMS AND SOCIALISATION: THEORISING AND OPERATIONALISING ASEAN's STRATEGY**</div>

INTRODUCTION

At the outset of ASEAN, member states found themselves plagued by a wide variety of security problems. These included intra-regional conflicts, domestic instability, extra-regional intervention and latent inter-ethnic tensions. ASEAN members were disparate in terms of their geographical size, ethnic composition, socio-cultural identity, colonial experience and post-colonial polities.[1] As newly independent states, ASEAN members represented a group of fragile states with domestic insecurity and violent historical baggage. More often than not, domestic insecurity spill over and interrupts territorial integrity and at some point in time ASEAN members used to be invaded or threatened by their own neighbours, hence creating a sphere of insecurity in the region. Born in the era of Cold War further heighten the feeling of fear or enmity among regional members, as two nuclear powers decided to used the region as an arena to flex their power.[2]

Hence, it was not accidental that these newly independent states decide to form a regional institution based on amity and trust. ASEAN member's realised, regional insecurity thrives when there is no autonomy and respect for territorial sovereignty. These ideas are congruent with the modern Westphalia state system as newly independent states seek to nation-building and state making.[3]

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[1] J.D. Legge, The Writing of Southeast Asian History in Nicholas Tarling (eds), *The Cambridge History of Southeast Asia,* Cambridge University Press, Cambridge, Cambridge, 1992, Vol, 1, p. 1

[2] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, Lynne Reiner, Boulder, 2002, pp. 9-10.

[3] A. Acharya, Constructing A Security Community in Southeast Asia, p. 57-58.

Since socio-cultural diversity and political heterogeneity in Southeast Asia had gone against the search for regional identity built through regionalism, it had to be constructed through socialisations or interactions within a certain framework. Acharya further enhanced this argument by saying, "to this end, ASEAN's founders over a period of a decade from its inception adopted and specified a set of norms for intra-regional relations".[4] Hence, it can be deduced that, what made ASEAN's regional security approach really distinctive were its norms, values and processes, which came to be known as the ASEAN Way.

This study earlier hypothesised that ASEAN's strategy in managing regional security is best explained by the social construction theory of constructivism. It further emphasises that regional security is best achieved by creating a secure and friendly community or institution, through a high level process of socialisation. This chapter further argues that socialisation for amity works efficiently when it is governed and regulate by a specific set of principles or norms. This chapter seeks to present what those norms are, and in the process presenting the norms as the basis of ASEAN's strategy formulation.

This chapter will first relate how historical experiences and environment influences the development of these norms. The study will next explore earlier attempts by regional actors to create an institution to manage regional security. It will then analyse how ASEAN norms evolved and operationalise in managing regional security, before concluding by counter arguing the challenges in operationalising ASEAN norms and presenting how ASEAN norms contribute towards regional security. This chapter, in essence, argues that ASEAN's regional security approach is very much influence by its amity biased norms

IMPACT OF HISTORICAL EXPERIENCE

The lessons from colonial oppression impacted upon the future ways of how the Southeast Asia states conceived the regional environment in forming a united front against external forces in terms of political and ideological dimensions. The colonial

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[4] Ibid, p. 47.

experience impressed on the region, in particular the leaders, the reality of the international imperialist system characterised by exploitation and predation. As Narine argues, the suspicions of the Southeast Asian states in the field of international relations, as well as the perception of external threat, played a critical role in the shaping of regionalism in Southeast Asia since the colonial period.[5]

In the post-independence era, Southeast Asian states gradually began to witness a number of intra-regional conflicts which had not emerged earlier because they were pre-occupied with matters at home to be concerned with their neighbours. [6] Thus the differences that began to appear in the post-colonial period escalated into competing claims over territory, boundaries and other creations of the colonial period. These problems created other intra-regional tensions among peoples that had been incorporated into states that did not share same identifications.

Under these circumstances, throughout the 1950s and 1960s, the major features of the international relations of Southeast Asia were complex interactions between three important forces: nationalism, the decolonisation process and the advent of the Cold War.[7] While nationalism had helped spur the goal of self-reliance and autonomy from colonialism, it did not resolve the difficulty of national integration or regime legitimacy: Southeast Asian countries were weak states suffering from the problematic issues of ethnic divisions and separatism and challenges to regime survival.[8]

EARLY ATTEMPTS AT REGIONAL SECURITY APPROACH

Within the unstable environment of the pre-ASEAN period caused by internal factors as well as external factors in the region, there were a number of attempts at managing regional security. These attempts began with the establishment of the Southeast Asian Treaty Organisation (SEATO) in 1954. SEATO was the US attempt to deter communist expansion into Southeast Asia. It was considered to be the Southeast Asian version of the

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[5] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p. 10.
[6] T. Huxley, International Relations in Halib & Huxley (eds) *An Introduction to Southeast Asian Studies*, IB Tauris, London, 199 , pp. 228-229.
[7] A. Acharya, *The Quest For Identity: International Relations of Southeast Asia*, Oxford University Press, Singapore, 2000, pp. 43-74.
[8] Ibid, p. 55.

North Atlantic Treaty Organisation (NATO), despite the difference of geostrategic conditions between Southeast Asia and Western Europe. Comprised of a diverse membership with diverse interests; United States, Britain, France, Australia, New Zealand, Pakistan, Thailand and the Philippines, SEATO was controversial from the beginning and not able to attract broader Asian membership due to Asian concerns about SEATO's overtly anti-communist nature and the dominant role played by the US. In addition to SEATO, the Asia Pacific Council (ASPAC) established in 1966 was a further attempt to create a bloc of anti-communist states in the region at the height of the US involvement in Vietnam, but it also failed to develop widespread support and was allowed to lapse in 1972.[9]

In response to the failure of SEATO and ASPAC, Southeast Asian states launched their own initiatives for regional cooperation to serve their security interests. Among earlier attempts were the Association of Southeast Asia (ASA) in 1961 and Malaya-Philippines-Indonesia (MAPHILINDO) in 1963.[10] ASA was the first attempt by the Southeast Asian states to manage regional order through cooperation or socialisation. The members of ASA consist of Malaya, the Philippines and Thailand. They shared the beliefs that regional cooperation was an important instrument to serve their interests instead of relying on external powers to meet their security needs.

In 1962, however, ASA was crippled by the Malaysian-Philippine territorial dispute over Sabah, which the British intended to include in the proposed Federation of Malaya. After the federation was established in 1963, the ties between Malaysia and Philippines were cut off causing the suspension of ASA until 1965. Nonetheless, ASA left a legacy to form ASEAN, an approach to regionalism that proves to be viable.

THE EVOLUTION OF THE ASEAN WAY

Even though ASA and MAPHILINDO failed, it indicates the member states desire to manage regional order cooperatively with autonomy, hence denouncing a direct reliance

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[9] F. Frost, Introduction: ASEAN since 1967: Origins, Evolution and Recent Developments in Broinowski (ed) *ASEAN Into the 1990s*, Macmillan Press, London, 1990, pp. 2-4.

[10] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p.10.

on external powers. As a result, it is no surprise that ASA and not SEATO became the basis of ASEAN's organisational structure. As a matter of fact, the demise of ASA was to a certain extent due to ASA apparent political connections with SEATO.[11]

In its inaugural meeting in Bangkok, ASEAN's leaders agreed to its first constitutive framework in managing regional security through the 1967 Bangkok Declaration. The Declaration states that ASEAN's aim and purpose were to ensure the survival of its members by enhancing regional peace and stability through abiding by the rule of law in the relationship among states in the region and promoting active collaboration and mutual assistance of common interest.

The word security however does not appear explicitly in the Bangkok Declaration. The only item in the Declaration referring to regional security was a call for the promotion of "regional peace and stability".[12] The Declaration apparently reflects the notion that regional peace and stability can be achieved on the basis of common interests in the economic, social, and cultural fields; achieving peace through a non-security passage.[13]

However, the Declaration did emphasise on autonomy and sovereignty, denying outside interference at state or regional level and states shared the responsibility to preserve the aspirations. The Declaration also stress on amity, cooperation, equality, partnership and solidarity in ensuring regional security (peace, stability and prosperity). The Declaration implicitly highlighted the founding member desire to move away from the domain of realism into a more constructive nature of security environment. The full version of the Bangkok Declaration is attached as Appendix A.

This study argues that the failure of ASA and MAPHILINDO was due to the lack of guiding principles and framework on how to achieve their interests and identity. Both institutions desire peace and stability, but failed to draw the mechanisms to manage conflicts and disagreements. The inability to manage conflicts was the main reason for

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[11] Ibid.

[12] The 1967 Bangkok Declaration at http://www.aseansec.org/1212.htm

[13] R.C. Severino, *Southeast Asia In Search of an ASEAN Community: Insights From the Former ASEAN Secretary-General*, ISEAS, Singapore, 2006, p. 2.

the disintegration of both organisations. These experiences led ASEAN to establish norms and mechanisms to manage conflict in ensuring regional security.[14]

As hypothesised earlier, ASEAN's regional security approach can be understood through an analysis of the sociological perspective in arguing that ASEAN's operations have created a regional community. This community consists of states that share common norms and values. These are more superficial norms that simply lay out the rules by which states can pursue their interests, include norms that specify the criteria by which a state identify itself. These are constitutive norms, which define the roles and identities of states in understanding their identities. The processes of political and economic interaction that ASEAN has facilitated over the years have caused its members to adopt its norms as part of their own self identities. In addition, ASEAN's norms and practices reflect a common cultural approach to regional conflict and community building. The ASEAN states share a common bond of belonging, a sense of We-feeling that can be the basis of a security community; a community of states that have abjured violent conflict between themselves. From this perspective, Acharya emphasises that creating one Southeast Asia was an inspiration of ASEAN's founder. This notion is an extension of Finnemore and Sikkink definition of norms as a standard of appropriate behaviour for actors with a given identity. There are two main categories of norms, constitutive and regulative. Constitutive norms are norms that create new actors interests or categories of action and regulative norms are norms that orders and constrains behaviour.[15]

CONSTITUTIVE NORMS, REGULATIVE NORMS AND INSTITUTIONS

This section will identify what are constitutive and regulative norms. In the process, their relationship together with the role of institution will be explained. Norms describe complex objects. It is hard to decide when a norm is atomic, and cannot be broken down

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[14] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p. 2.
[15] M. Finnemore & K. Sikkink, International Norm Dynamics and Political Change, p.891.

into simpler ones. Some theorists consider definitions as parts of norms, other as norms themselves. Others yet deny procedural norms their status of norm and so on.[16]

Searle presents norms as constitutive and regulative. Constitutive norms define legally-constructed institutions (Organisation, public body and society), legal roles (president, judge, defendant) and legal powers. With legal powers, institutional powers enact institutional facts (marriage, agreement), where a physical or non-physical entity acquires an institutional status if one (or a system of multiple) constitutive rule justifies the status function (X counts as Y). Definition and power conferring rules are sub-classes of constitutive norms. Constitutive norms create all law's entities, including laws themselves. Therefore, a legal norm functionally depends on a constitutive norm and on collective acceptance. Regulative norms define behaviours (as courses of events), and have at least one modalised description as a proper part.[17]

Sari, Tascornia and Gangemi further relates norms with institution. Institutional agents or legally-constructed institutions are social individuals (organizations, public bodies). Like social roles, they are defined by constitutive norms, but unlike legal roles, they do not classify legal subjects. In many cases the same description defines both an institutional agent (e.g. ministry) and a legal role (minister) as a representative for the individual that can classify legal subjects. In other words, the identity of legally constructed individuals is provided by themselves, while the identity of a legal role requires a legal subject that is classified by it at a certain time. Legal facts (cases) are situations satisfying norms[18]

Grossi and Dignum further explain the relationship between institution and norms. First, institution can be seen as the set of agents with specific roles, private and common objectives, the activities of which are procedurally determined. Second, institution can be seen as the set of norms (constitutive and regulative) an organisation

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[16] M.T. Sagri, D. Tiscornia & A. Gangemi, An Ontology-Based Model for Representing Bundle of Rights, in R. Meersman (ed) *On the Move to Meaningful Internet System*, Springer New York, 2004, p. 681.

[17] J. Searle, 1995 cited in M.T. Sagri, D. Tiscornia & A. Gangemi, An Ontology-Based Model for Representing Bundle of Rights, p. 681.

[18] Sari, Tascornia & Gangemi, An Ontology-Based Model for Representing Bundle of Rights. p. 679.

can instantiate implementing them.[19] Constitutive norms are concrete and translative, regulative norms are abstract and behavioural.[20]

Wendt further argues that regulative norm is the effect of constitutive norms. Constitutive norms identify the interests and identity of an institutions and regulative norms decides how the actors should behave in conformity of the constitutive norms to achieve identity and interest.[21]

This study therefore argues that constitutive norms generate regulative norms, and in the context of ASEAN, the constitutive norms were generated by member states based on globally practiced norms. However based on their colonial and enmity experiences and in conforming to the constitutive frameworks, ASEAN's members developed a set of regulative norms that suit their needs and requirements as developing nations. These set of norms may be peculiar or unique to ASEAN but puzzling and contending to Westerners. This approach may be difficult to understand by the Westerners because they were the colonial masters, acting as an authority in what was supposed to be an anarchic world. However, the point argued here is that, these norms contribute towards the ASEAN Way.

This argument is further supported by Acharya, "apart from these rules (TAC), a set of procedural norms also governs the manner in which members engage in collective decision making – these have been termed the ASEAN Way".[22] The ASEAN Way emphasises on prescribing means rather than ends not stipulated in the constitutive framework. It emerged through the process of socialisation over time, prescribing informality over formal institutions, flexibility, the practice of consensus and non-confrontational bargaining.[23]

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[19] Grossi & Dignum. From Abstracts to Concrete Norms in Agent Institutions in Hinchey, Rash, Truszlowski & Rouff (eds) *Formal Approaches to Agent Based System*, Springer, New York, 2005, p. 14.
[20] Ibid, p. 14-15.
[21] A. Wendt, *Social Theory of International Politics*, p. 165.
[22] A. Acharya, Constructing A Security Community in Southeast Asia, p. 329.
[23] N. Busse, Constructivism and Southeast Asian Security, *The Pacific Review*, Vol. 12, No. 1, 1999. Pp. 39-40.

THE EVOLUTION OF ASEAN'S CONSTITUTIVE NORMS

This chapter argues that ASEAN's constitutive norms lies in all the policies and framework documented officially since the Bangkok Declaration. The ASEAN Declaration signed in Bangkok sets out the aims of ASEAN. The Kuala Lumpur Declaration in 1971 prescribes non-interference by external powers through ZOPFAN. The Bali declaration in 1976 draws up an enhanced version of ZOPFAN stressing further cooperation in the economic, social, cultural and political fields. Most importantly however, this declaration codifies ASEAN's fundamental principles in The TAC, which will be further explored in this chapter. ASEAN's Vision 2020 was developed in 1997, reiterating all the previous principles towards a concert of Southeast Asian nations being outward looking, living in peace, enjoying stability and prosperity and bonded together in partnership in a dynamic development and in a community of caring societies. The Bali Concord II reaffirmed ASEAN's Vision 2020 vision. In understanding how ASEAN's constitutive norms were developed, a study of these collective norms is essential.

The Formulation of ASEAN's Constitutive Norms

By founding ASEAN, the founding members hoped to accomplish three main objectives. First, they sought to reduce tensions and competition among themselves, i.e., Southeast Asia's non-communist states. Second, they hoped that by promoting domestic socio-economic development, it would be easier for them to tackle internal communist challenges and/or deal with externally sponsored communist insurgencies. Third, they sought to reduce the regional military influence of external actors by expressly stating that foreign military bases in the region should be temporary.[24] Since most of the ASEAN states are still "deeply engaged in the process of state-building, their most important concern is to maintain and promote their rights and security as sovereign states".[25] Or, put differently, when it comes to ranking norms, sovereignty wins out over all others.

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[24] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p. 13.
[25] Ibid, p. 3.

Mindful not to provoke other countries in the region, like Vietnam, but also unable to see eye-to-eye on security matters, and lacking the military means to bring about a credible security apparatus, ASEAN members carefully spelled out in the Bangkok Declaration that their main goals shall be: "to accelerate the economic growth, social progress, and cultural development in the region through joint endeavours in the spirit of equality and partnership…and to promote regional peace and stability."[26] But, "security concerns and political purposes were never far from the ASEAN founders' intentions."[27] As the Corregidor Affair in 1968 proves, ASEAN was off to a rough start. Allegations that the Philippines were using the island to train Muslim insurgents to infiltrate Sabah led to a diplomatic row between Malaysia and the Philippines and, eventually, to the cancellation of ASEAN meetings. Only when changes in their external environment[28] drove home the need for renewed cooperation, did Malaysia and the Philippines resume normal relations in December 1969.[29] Recognising that it would be difficult to attain domestic stability and socioeconomic development as long as external powers would be able to intervene in their affairs, on November 26-27, 1971, the foreign ministers of ASEAN met in Kuala Lumpur and signed a Declaration of a Zone of Peace, Freedom and Neutrality (ZOPFAN) in Southeast Asia. The purpose of this political statement of intent was to neutralise Southeast Asia and the signatories envisioned a two-pronged strategy to get there. First, the Southeast Asian states should support non-aggression principles and respect each others' sovereignty and territorial integrity. And, secondly, the major powers (the US, the USSR, and China) should guarantee Southeast Asia's neutrality and assure that the region would not become an area of conflict between them.

The collapse of anticommunist regimes in South Vietnam and Cambodia in 1975 hit home the need for economic development to counter the internal appeal of communism in ASEAN countries. To improve ASEAN's internal stability, ASEAN heads of state met in Bali in February 1976 and reached two crucial agreements, the Declaration of ASEAN Concord and the TAC in Southeast Asia. Whereas the former,

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[26] http://www.aseansec.org/1212.htm
[27] http://www.aseansec.org/328.htm
[28] Britain's announcement that it would accelerate its withdrawal from Southeast Asia; Nixon's claim that the US would limit its involvement in Southeast Asia; the intensification of the Sino-Soviet conflict; the spread of war from Vietnam to Laos and Cambodia.
[29] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p.19.

largely defined areas of economic cooperation[30], the latter focused on security issues obliging the member states to settle their disputes peacefully through consultation. TAC, as Narine [31] explains, served as ASEAN's "code of conduct," spelling out its fundamental principles which will be examined in more detail below, and as a nonaggression pact. At the Bangkok Summit in December 1995 the leaders of the ASEAN countries signed the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). With this treaty, which came into force on 27 March 1997, the signatories declared their determination to "take concrete action which will contribute to the progress towards general and complete disarmament of nuclear weapons, and to the promotion of international peace and security."[32]

ASEAN's Vision 2020 and later through the Bali Concord II, ASEAN envisioned its desire to progress, raising its relevance and credibility as an institution and at the same time trying to silence and minimise its critics. This desire for a concerted caring society in creating a secure and prosperous region recognises ASEAN history, cultural heritage bounded by a common regional identity. ASEAN plan to achieve this desire by establishing an ASEAN Community founded on three main pillars, security, economic and socio-cultural. The most important outcome of this declaration is the emphasis on democratic and just environment, and the involvement of society at all levels in the development of ASEAN, implicitly inferring to ASEAN acknowledgement of democracy, human rights issues and accepting the role of non-state actors.[33]

Other ASEAN legally-binding basic documents includes the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area, dealing in economic cooperation formulated in 1992; Protocol to Amend the Framework Agreement on Enhancing ASEAN Economic Cooperation, formulated in 1995; Declaration on the Conduct of Parties in the South China Sea, formulated in 2002 and the 2001/2002 Declaration on Joint Action to Counter Terrorism. The latter two will be discussed further in the next chapter.

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[30] with respect to basic commodities; large-scale industrial projects; intraregional trade liberalisation; joint approaches to world economic problems.
[31] Ibid, p. 23.
[32] http://www.aseansec.org/2082.html
[33] http://www.aseansec.org/15159.htm

The Treaty of Amity and Cooperation

Though, the frameworks presented above have their significance in one way or the other, the TAC stands out in defining and forming up ASEAN constitutive norms. Principles laid down in Chapter 1, Article 2 of the treaty codifies ASEAN norms succinctly as follows:

> "mutual respect for the independence, sovereignty, equality, territorial integrity, and national identity of all nations; the right of every State to lead its national existence free from external interference, subversion or coercion; non-interference in the internal affairs of one another; settlement of differences or disputes by peaceful manner; renunciation of the threat or use of force; and effective cooperation among themselves."[34]

Though six principles were laid out in the treaty, three of the principles stands out in defining the constitutive norms and together had a major influence in the formulation of ASEAN regulative norms. Those norms are sovereignty, non-interference and peaceful settlements. This section of the paper will argue why ASEAN put such a high emphasis on these norms.

Sovereignty

Respect for the sovereign equality of member states has been a key concept in ASEAN's security culture and a central component in its identity building ever since the organisation was formed. This section of the study put forth arguments that historical experiences being colonised and intervened makes ASEAN states put sovereignty at the forefront of its norms.

Historical memories of a common colonial past have made all ASEAN countries very respectful of each other sovereignty. Except for Thailand, the rest of the ASEAN states had been colonised by Western powers. Some countries were even traded like commodities from one colonial power to another. Though some colonial powers do

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[34] http://www.aseansec.org/1217.htm

contributes to the development of member states in one form or the other, in general the bitter experiences and the lack of autonomy in managing its own natural resources makes ASEAN members appreciate sovereignty.

After independence, regional security was plagued by intervention, interference and uncertainty of immediate powers and communism, the Indochina War and the division of Southeast Asia between communist bloc and the capitalist world being evidence. The Vietnam-Cambodia conflict, the Malaysia-Indonesia *Konfrontasi* and the failure of SEATO due to its association with external powers are also contributing factors towards ASEAN members putting sovereignty as the critical element of national and regional security.

Non-Interference

ASEAN concern over sovereignty had a strong influence in ASEAN adopting non-interference as its principal norm. It has been a consistent principle throughout all ASEAN declaration since the Bangkok Declaration. Acharya[35] further explains how this norm is being operationalised in ASEAN, "members should refrain from publicly criticising the actions and policy of a member state, especially its action towards its own people. This was clearly evident throughout ASEAN history except in the case of Myanmar. The actions of states should be criticised when they violate the doctrine of non-interference even in cases where interference or invasion is being directed against a highly despotic regime. Governments should deny recognition, refuge or other forms of support to ethnic, dissident or political groups that are seeking to renegade against a present government of a neighbouring state and support governments against any subversive and destabilising activities". A case in point is Malaysia denouncing the legalities of a group of Southern Thais crossing the border under the pretext of seeking asylum. Malaysia response to the Abu Sayaff Group in Mindanao is another example of non-interference, even when the problem tend to spill over as a trans border issue in East Sabah. Further, when the Philippines requested for Malaysia assistance in the crisis, Malaysia responded by sending crews for the International Monitoring Group. The Nargis crisis in Myanmar, Tsunami in Indonesia and the latest earthquake in October

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[35] A. Acharya, Constructing A Security Community in Southeast Asia, pp. 57-60.

2009, indicates how ASEAN member conforms to this norm, no member states enters without the host nation permission. In short, non-interference promises autonomy, which is what an anarchic world is all about, the lack of any governing authority. As Busse rightly points out, "non-interference norms help reinforce the domestic autonomy of national governments by reassuring member states that they will not be publicly pressed to undertake actions that run counter to domestic interests".[36]

In a wider framework, the promises of non-interference managed to attract difficult nations such as China and North Korea to participate in a regional forum. Though certain issues may not be discussed or resolved through official means, progress has been made through unofficial means, which will be elaborated further in Chapter Four.

Peaceful Settlement

Peaceful settlement is the requirement of a complete process in managing disputes. The whole idea is not to escalate conflicts into an armed conflicts or war. More importantly is to avoid conflicts, if it cannot be avoided, it must be resolved peacefully by any means. This requirement does not exclude the usage of international institution like the International Court of Justice (ICJ). The Sipadan-Ligitan disputes between Malaysia and Indonesia, and Pulau Batu Putih between Malaysia and Singapore are cases in point. However, more importantly, this chapter tend to argue that sovereignty, non-interference and peaceful settlement are the constitutive norms that significantly influence the development of ASEAN regulative norms; the process to facilitate the constitutive norms. ASEAN constitutive norms on its' own are not the ASEAN Way because they are considered global norms. As Katsumata rightly points out, sovereignty, non-interference and non-use of force have been incorporated inside the UN Charter and other notable organisations such as the OAU and the OAS.[37]

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[36] N. Busse, Constructivism and Southeast Asian Security, p. 47.

[37] H. Katsumata, Reconstruction of Diplomatic Norms in Southeast Asia: The Case for Strict Adherence to the ASEAN Way, *Contemporary Southeast Asia*, April 2003, Vol. 26, No. 1, p.111.

THE ASEAN CHARTER

After more than forty years of existence, the most significant event to happen in ASEAN was the formation of the ASEAN Charter. The ASEAN Charter is significant because it further enhanced the credibility of constructivism in explaining ASEAN regional security approach. ASEAN Charter in essence indicates the organisation capacity to change based on ideas, values, knowledge, norms, interests and identities, not material factors. As Wendt had pointed out, states that interact constantly among each other will develop over time a more inclusive sense of identity and collective interest. But, (more importantly) they may also come to alter their interest and identities to and with one another over time and through institutional interactions.[38] This is where change and transformation can take place.

Koslowski and Kratochwill explains further by saying, the fundamental change of the international system occurs when actors, through their practices change the rules and norms which are constitutive.[39] The ASEAN Charter in actual fact is the reiteration of ASEAN's policies and principles (constitutive norms) by streamlining and integrating those policies laid in previous ASEAN documents, namely the ASEAN Declaration, The Treaty of Amity and Cooperation, Bali Concord I and II, Hanoi Plan of Action, and ASEAN's Vision 2020.

More importantly, the ASEAN Charter is the fortification of ASEAN's constitutive norms with new ideas in fulfilling new identities and interests in making ASEAN more relevant and credible in managing regional security. The Charter emphasise on legalistic, human rights and democracy and multi-level approaches at the same time upholding ASEAN principles laid down in the TAC. The essence of the principles is spell out below:

- respect for the independence, sovereignty, equality, territorial integrity and national identity of all member states;

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[38] A. Wendt, Collective Identity Formation and the International State, *American Political Science Review*, June 1994, Vol. 88, p. 386.

[39] Koslowski & Kratochwill, Understanding Change in International Politics: The Soviet Empire's Demise and the International System, *International Organization*, 1994, Vol. 48, No. 2, p. 216.

- non-interference in the internal affairs of member states;

- respect for the right of every member state to lead its national existence free from external interference, subversion, or coercion;

- decision-making by consultation and consensus;

- nuclear weapons and all weapons of mass destruction in the region are prohibited;

- several new decision-making bodies are set up;

- a human rights body is set up to operate in accordance with the terms of reference to be determined by the Foreign Ministers meeting;

- ASEAN is accorded a legal identity;

- adherence to the rule of law, good governance, principles of democracy and constitutional government;

- and, respect for fundamental freedoms, the promotion and protection of human rights.

ASEAN'S REGULATIVE NORMS

ASEAN regulative norms are in essence the practices and processes of ASEAN within the framework of its constitutive norms. These norms may be formal and informal approaches to regulate and operationalised the constitutive norms. As discussed earlier, ASEAN constitutive norms are the reconstruction of global norms. Hence, this study argues that regulative norms, through its practices and processes, are the main characteristics of the ASEAN Way.

Institutionalised Practices as Norms and Socialising Agents

Institutionalised practices are formal approaches in regulating member states behaviour with regard to issues of mutual interests. This study argues that these practices are in lieu of material and power oriented approach in dealing with security related issues and at the same time conforms to the constitutive norms of respecting sovereignty, non-interference and peaceful settlements. It also argues that these institutionalised practices are both acting as norms as well as agents of socialisation in managing regional security. These practices contributes towards managing regional security by providing platforms for dialogue and diplomacy to prosper in ensuring disputes and conflicts or potential disputes be addressed officially.

The institutionalised practices are as follows:

☐ **The ASEAN Summits.** The ASEAN Summits have been one of the most visible institutionalised practices in promoting political cooperation among member states in ASEAN. It is during the summit meetings that the highest level of decision making takes place. The first summit was held in Bali in 1976, nine years after the establishment of ASEAN and till date 14 summits were conducted.[40] Though the interaction was slow during the initial formation of ASEAN, due to the tensions among founding members, it became more frequent as relations improved due to the high level of socialisation. This resulted in the summit to be conducted formally every three years, starting in 1992 and informally every year after 1995, "the purpose is to improve ASEAN's capacity to set policy directions and to address regional issues more effectively and in a timely manner".[41]

☐ **The ASEAN Ministers Meeting (AMM).** The AMM is the next lower hierarchical decision making body in ASEAN. It is held annually or

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[40] Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 55-56 and http://www.aseansec.org/4933.htm

[41] Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 56.

whenever there is a necessity to conduct one in between. Initially these meetings were held only among ASEAN Foreign Ministers but were later extended to portfolios such as health, education, economic and environment.

☐ **The ASEAN Post Ministerial Conference (PMC).** The ASEAN–PMC follows the AMM. In the initial stage, the PMC provided the venue for ASEAN states to discuss security concerns. After the formation of the ARF in 1994, PMC was extended to ARF participants, hence expanding the socialisation process, as Khong pointed out, killing many birds with one stone.[42]

☐ **The ASEAN Senior Official Meeting (SOM).** The ASEAN SOM was established during the Manila Summit in 1987 to assist ASEAN foreign Ministers in operationalising decisions achieved at the high level conferences in matters pertaining to political cooperation. Since then, the meeting was extended to include economics and defence. SOM were complemented by several ad hoc and permanent meetings at the official level.

☐ **Joint Border Committee.** ASEAN was formed against the backdrop of border and territorial disputes and conflicts. In fact, the same issue plagued the early years of ASEAN. The historical factor together with the constitutive norms of sovereignty and non-interference resulted in the institutionalisation of Joint Border Committees. The committees established were between Malaysia and Indonesia, Malaysia and Thailand, Malaysia and the Philippines, Thailand and Myanmar, and Thailand and Cambodia.

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[42] Y.F. Khong, Coping Strategic Uncertainty: The Role of Institutions and Soft Balancing in Southeast Asia's Post-Cold War Strategy in Suh, Katzenstein & Carlson (eds) *Rethinking Security in East Asia: Identity, Power and Efficiency*, Stanford University Press, Stanford, 2004, p. 199.

These institutionalised practices are evidence of the theoretical framework of socialisation within norms. With a total number of meetings averaging to 300 annually[43], these practices are significant in managing regional security for a few reasons. Firstly, the functions of these institutional meetings serve more than just instilling the habits of dialogue and consultation among ASEAN members. Secondly, these meetings significantly make up more than the procedural elements of the types of mechanism that are meant to build trust and assurance among members for closer political cooperation. Thirdly, these numerous functional meetings, which have been categorised as institutionalised mechanisms, also deepen the process of socialisation among ASEAN political leaders and officials.

These practices are strong indicators and empirical evidence of norms socialisation in ASEAN. They are platforms where issues and disputes being deliberated and actions to de-conflict and deescalate situations will be achieved. ASEAN is not concern with the end result or to end conflicts immediately which could result in members feeling short changed. ASEAN is more concern with the process of conflict prevention and conflict management. Debates and dialogues will be prolonged until all parties involved are happy with the end result. It is a stark different from other regional or international organisations with a realist influence, whereby veto power could decide the outcome of resolutions; mimicking a zero sum game.

Inclusivity

The founding states of ASEAN had always envisioned an inclusive organisation, as stated in the Bangkok Declaration, "the Association is open to participation to all states in the Southeast Asian region", providing they subscribe to its aims and principles.[44]

This study argues that the requirement to conform to ASEAN constitutive norms of sovereignty, non-interference and peaceful settlement and its vision laid in the Bangkok Declaration leads to the formulation of inclusivity as a regulative norm. Inclusivity is an element of social construction theory. ASEAN enlargement is a way of

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[43] Ibid.
[44] http://www.aseansec.org/1212.htm

promoting inclusivity. Socialisation, interaction and cooperation are far more effective by including all members in a social circle. When a member is within, managing and controlling issues will be easier rather than without. For socialisation to be effective, states within the region must participate, even for difficult or no-democratic states. As Acharya pointed out, "the domestic political system of a state should never be the basis for deciding its membership of ASEAN. The most obvious examples were in 1995 when Vietnam was admitted despite its communist political system and in 1997 when Myanmar was admitted despite its lack of democracy".[45]

This preference for a constructivist approach of inclusivity rather than realist exclusivity is further explained by Green and Gill. Although states continue to manoeuvre for a geographical definition and centre of gravity in Asia favours their national interest, no state has insisted on a exclusive institutional architecture that would lock out any player (major or minor) or provoke more direct zero-sum competition.[46] Collins further reifies by pointing out that ASEAN's aim has been to be the primary driver in setting the security agenda through a cooperative security approach that is, seeking security through dialogue, an inclusivity of participants and subject matter, and a belief that security is achievable only in concerts with others rather than through unilateral action.[47]

ASEAN had always been an organisation that emphasised on norms-based behaviour and inclusivity,[48] and holistic dialogue in the region can only be the right path. The evolving security architecture will only grow and strengthen through openness and inclusivity.[49] The principle of inclusivity promotes a circle of security and implicitly prohibits members within the circle from interfering and intervene each other integrity. Rather inclusivity promotes the need to solve issues peacefully and amicably. This is akin to the relationship within siblings.

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[45] A. Acharya, Constructing A Security Community in Southeast Asia, pp. 57-60.

[46] M.J. Green & B. Gill, *Asia's New Multilateralism: Cooperation, Competition and the Search for Community*, Columbia University Press, New York, 2009, p.14.

[47] A. Collins, Security and Southeast Asia: Domestic, regional and global issues, ISEAS, Singapore, 2003, p. 182.

[48] K. Sridharan, Major Powers and Southeast Asia: A Restrained Competition in Daljit Singh (ed) *Political and Security Dynamics in South and Southeast Asia,* ISEAS, Singapore, 2007, p. 57.

[49] Teo Chee Hean, The 7th IISS Security Summit (Shangri-La Dialogue 2008). *IISS*, p. 8 at www.iiss.org/EasySiteWeb/GatewayLink.aspx?alId=18295

ASEAN Diplomacy

As mentioned earlier, respect for the sovereign equality of member states has been a key concept in ASEAN's diplomatic and security culture and a central component in its identity building ever since the organisation was founded in the late 1960s. In operational terms the principle of sovereign equality means decision-making by consensus after extensive consultations. However, the term consensus should be read in a modified way. In ASEAN it has been a common understanding that consensus does not always require unanimity on the part of all members.[50] What is required is flexible consensus, meaning that, when there is broad support for a specific measure, the Association may move forward, provided the measure does not threaten the most basic interests of the dissenting state.

Caballero-Anthony further explains that ASEAN diplomacy was derived from the maritime member states of ASEAN called *musyawarah* and *muafakat*, which in essence are consultations and consensus respectively. These are ASEAN trademarks in managing disputes and conflicts, since mishandling of the discussions and skewered decision making may result in the escalation of conflicts. Decision making through *musyawarah* and *muafakat* have been practiced by ASEAN to come up with a common stance on regional affairs.[51] However, decision making may be a long and tedious process that resulted to disagreement. This phenomenon does not eludes ASEAN members, hence the development of the norm agreeing to disagree.

Agreeing to Disagree

In ASEAN diplomacy, time is not an essence. The practice of agreeing to disagree is in essence shelving disagreement for later settlement[52] or what some critics refers to as "sweeping under the carpet". This practice has proved to be successful particularly when *musyawarah* among members have reached a dead locked and no decision reached. This

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[50] D. Capie & P. Evans, *The Asia Pacific Security Lexicon*, ISEAS, Singapore, 2002, p.19-20.

[51] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 72.

[52] H.A. Tuan, ASEAN Dispute Management: Implications for Vietnam and an Expanded Vietnam, *Contemporary Southeast Asia Journal*, 1996, Vol. 18, No. 1, p. 63.

process provides the alternatives to armed confrontation among members by stalling time in finding other avenues to resolve issues.

Caballero-Anthony provided an example of how this process operates. The first incidence involves the formulation of ZOPFAN. When Malaysia proposed the idea of neutrality, it did not get the full support of other members, especially Thailand and the Philippines who are closely link to the United States. Indonesia on the other hand was not in favour of neutrality that predicated the guarantees provided my major powers. After several rounds of negotiations over a protracted period, a watered down version of ZOPFAN was agreed upon.[53]

The importance of agreeing to disagree underlines ASEAN diplomacy. Until members are ready, comfortable with each other and a certain level of trust is reached, this slow, incremental, low-risk and flexible process is still effective. What sets ASEAN apart from many other regional institutions is its own process of decision-making. Based on the Malay cultural practices of *musyawarah* and *muafakat*, the idea is to reach agreement via consultation and consensus, respectively. Should there be obstacles in the way that may prevent cooperation in a particular issue area, ASEAN members should be willing to move issues aside and proceed with consultation in another area. By holding its members to a specific code of conduct, the organisation seeks to contain problems and, over time, build a regional consciousness, if not regional identity. This, in essence is part of the ASEAN Way.

CHALLENGES IN OPERATIONALISING ASEAN'S NORMS

Critics had pointed out that the regional economic crisis highlighted not only ASEAN's lack of concrete institutional mechanisms, but also an inability or unwillingness to cooperate.[54] In addition, membership expansion between 1995 and 1999 created a mixed blessing; it has achieved the Association's 'One Southeast Asia' vision, but also increased the burden on the founding states to accommodate a wider variety of security

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[53] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way,* p. 76.

[54] A. D. H. Poole, Cooperation in Contention: The Evolution of ASEAN Norms, *YCISS Working Paper Number 44* 2007 at www.yorku.ca/yciss/whatsnew/documents/WP44-Poole.pdf

concerns. The norm of non-interference has always been debated, especially by outsiders. On top of that, the build-up of arms by some ASEAN states may test the adherence to the principle of non-use or threat of force. There is also the concern that ASEAN Way may began to appear as an outdated style of conflict management; the lack of formal dispute settlement mechanisms has led the Association to seek assistance from international organisations. Finally, the altered security environment has precipitated divergent threat perceptions among member states. These aspects of member state behaviour have tested ASEAN norms as they were originally conceived. Collins argues that the developments after 1997 "fueled doubts about the practicality of the principles and processes behind ASEAN's success, and indeed raised doubts about the continued viability of the association itself".[55]

The Norm of Non-Interference

Of primary importance are challenges to the non-interference principle, as it is central to ASEAN's normative context. It directly impacts conflict management, the renunciation of force, effective cooperation and the procedural norms of the ASEAN Way. It is effectively an indicator of the nexus between regime and regional security. For some scholars, inconsistent adherence to ASEAN norms by member states undermines its credibility. Khoo argues that the non-interference norm is regularly violated, indicating that ASEAN norms have a "tenuous connection with reality." In fact, he perceives a contrary norm of interference in other states' affairs as characterising member state behaviour. As such, he emphatically refutes the notion that ASEAN is a nascent security community, regarding it instead as a group of states that prioritise their national interests ahead of regional autonomy.[56] Similarly, Sharpe argues that the norms of non-interference and non-use of force have been inconsistently upheld by member states, questioning ASEAN's ability to construct a "significant security identity".[57]

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[55] A. Collins, Security and Southeast Asia: Domestic, regional and global issues, p. 140-141.

[56] N, Khoo, Deconstructing the ASEAN Security Community: A review Essay, *International Relations of the Asia –Pacific*, 2004, Vol. 4, No. 1, p. 40.

[57] S. Sharpe, An ASEAN Way to Security Cooperation in Southeast Asia, *The Pacific Review*, 2003, Vol. 16, No. 2, p. 248.

However, what these scholars failed to identify is that, in so far its inception, no member states had interfere with the affairs of others. Even though there were efforts to dilute the norm into constructive interference or flexible engagement, it was rejected consensually.[58] Though some scholars relates the invasion of Vietnam into Cambodia as inconsistent with the ASEAN norm of non-interference, both nations at that point of time was not ASEAN members. Even in the case of Timor Leste, ASEAN members were only involved after being invited by Indonesia.

The 1997 Financial Crisis

Challenges to ASEAN norms cannot exclude the 1997 financial crisis that swept through ASEAN with a devastating effect because it has been the point raised consistently by ASEAN critics since the incident. Contrary to what critics had raised, the crises had in fact strengthened the level of cooperation among ASEAN members. What the crisis had highlighted was the lack of mechanism in monitoring financial issues. Though members had congregated to tackle the issue when first detected, the rapid and massive capacity of currency speculators exploiting the situation was too much for members to reverse the effects. The crisis created greater socialisation process in ASEAN including meetings that involves Head of State, Ministers and private sectors. The most notable outcome of this process is the establishment of a regional mechanism that aims at promoting a more effective surveillance over the economic policies and practices of ASEAN members, facilitated by fuller disclosure of relevant economic data.[59] This is not in violation of the non-interference norms since it is a collective and consensual effort by members in managing economic security. [60]

Cooperation among members was also evidence when Malaysia and Singapore pledges rescue packages for Thailand and Indonesia. Moreover, as a response to huge capital flights from these countries and the rising inflation that effect regional economies, the Bilateral Swap Arrangements (The Chiang Mai Initiative) was introduced. This

[58] J. Henderson, *Reassessing ASEAN*, ADELPHI Paper 328, IISS, London, 1999, p. 48-55.
[59] M, Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 206.
[60] Ibid, p. 207.

mechanism allowed for stand-by emergency funds to assist member states badly affected by the 1997 and future crisis.

Arms Race in ASEAN?

Critics of ASEAN also relate ASEAN members defence procurement as an arms build up. However, till date the effect of ASEAN defence procurement has never created a security dilemma that could have been contributed to an arms race. Furthermore, no ASEAN state had procured any single offensive weapons that could annihilate its neighbours or for that matter rocks regional security. This study argues that ASEAN members embark on defence procurement for force modernisation. Most of ASEAN states defence capabilities is going into obsolescence.[61] The need to modernise is further fuelled by the active involvement of ASEAN states in the UN operations. The need for joint operations in ensuring regional maritime security requires ASEAN maritime states to modernise their navies. Self reliance is another reason for the defence procurement of some ASEAN members. Threats in the region today do not only emanate from states but it can be from within the state itself and also from non-state actors and other non-traditional sources.

Resolving Conflicts and Disputes

Going further, Jones and Smith perceive not simply a lack of norm compliance, but a fundamental pretence in ASEAN's very existence, dismissing it as an "imitation community". They argue that ASEAN is merely a rhetorical shell with form but no substance. [62] They do not, however, adequately explain the motivations of ASEAN members in constructing this "shell." ASEAN's relevance and utility has also been questioned when international bodies were utilised to address a particular dispute or crisis in the region. Khoo argues that "since 2001, ASEAN members have increasingly ignored the ASEAN mechanisms for conflict resolution and looked to international

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[61] A. Acharya, Constructing A Security Community in Southeast Asia, p. 140.

[62] D. M. Jones, & M.L.R. Smith, ASEAN and East Asian International Relations: Regional Delusion, pp. 65-68.

institutions to settle bilateral disputes".[63] Indeed, the ICJ, the IMF and the UN have all been called upon at various times in response to regional disputes and crises.

What these critics failed to highlight was that ASEAN never prohibits its members from resolving conflicts by other means, except through armed conflicts or any methods that may create security dilemma. The Sipadan-Ligitan and Pulau Batu Putih disputes had went through the process stipulated by ASEAN regulative norms. The same can be explained with regards to the 1997 financial crisis, whereby member states are free to adopt any measures to overcome the crisis. Resorting to international institutions does not reflect ASEAN's ineffectiveness. Furthermore, regional organisation such as ASEAN is a decentralisation of the UN efforts in promoting peace and security worldwide and as such it is just logical for states, as members of the UN, to go back to the UN for arbitration. Though ASEAN provides the mechanism for conflict resolution, it is more concern with the process in managing conflict, through socialisation of norms, in ensuring conflicts does not proliferate into war.

Transnational Issues, China and the US

ASEAN norms are also tested by the more diverse array of security threats brought about by the Association's admission of less developed, semi-authoritarian states. Newer members of continental ASEAN have brought with them internal problems such as secessionist movements and communal violence. Internal security threats also persist in the founding member states (some prominent hotspots were southern Thailand, southern Philippines, and Aceh, Indonesia). Membership expansion has increased the breadth of security issues among member states that often have spill over effects that heighten the potential for bilateral tensions. Further, political instability and poor governance in the new states have consequences for their neighbours. Cambodia, for example, exhibits lawlessness, corruption and human rights abuses. It is ostensibly a democracy but the fairness of elections is highly questionable.[64] While Vietnam is more politically stable, it also suffers from official corruption, and from the government's willingness to crack

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[63] N. Khoo, Deconstructing the ASEAN Security Community: A review Essay, p. 53.

[64] P.C. Grove, Cambodia: A Gathering Danger in Carpenter, W.M. Carpenter & Wiencek, D.G. (eds) *Asian Security Handbook: Terrorism and the New Security Environment*, M.E. Sharpe Inc., Armonk, 2005, p. 83.

down on organized dissent. Such crackdowns have instigated a flow of refugees into Cambodia, causing tensions between the two states.[65] The regional security environment has also been altered by the increased salience of non-traditional, transnational security threats. These include drugs trafficking, illegal migration, piracy, and various other forms of transnational crime.[66] In addition, ASEAN member states are increasingly concerned about environmental degradation, resource depletion and energy scarcity.[67]

However, certain traditional security concerns still persist in the post-Cold War period. ASEAN remains concerned about a rising China. Territorial disputes in the South China Sea have provoked tensions with respective member states (Philippines and Vietnam in particular), and motivated ASEAN to engage China in private diplomacy.[68] Some member states also want to ensure US military presence in the long term while resisting excessive US influence with respect to immediate issues. ASEAN has thus sought to balance both China and the US using 'soft power.' An important aspect of this strategy is engaging them in multilateral security dialogue, primarily through the ASEAN Regional Forum (ARF) which was established in 1993. As Nischalke argues, "the creation of the ARF hinted at the convergence of security perspectives among ASEAN members. Leaders in Indonesia and Malaysia realised the need to engage China and became more inclined to accept an American role in the new security structure".[69]

These transnational issues do pose challenges to ASEAN but are being addressed amicably through the regulative norms of institutionalised practices, even in the case of the South China Sea issues which will be explained further in Chapter Three. Norms are dynamics, especially the regulative norms. As the paper had argued earlier, regulative norms are meant to complement, facilitate and strengthened the constitutive norms. In

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[65] M. Manyin, Vietnam: Focused Domestically, Adrift Internationally in Carpenter, W.M. & D.G. Wiencek, (eds) *Asian Security Handbook: Terrorism and the New Security Environment*, M.E. Sharpe Inc., Armonk, 2005, p. 310.

[66] A. Dupont, Transnational Crime, Drugs and Security in East Asia, *Asian Survey*, May-June 1999, Vol. 39, No. 3, p. 434.

[67] K. Snitwongse & S. Bungbongkarn, New Security Issues and their impact on ASEAN in S.S.C. Tay, J.P. Estanislao & H. Soesastro (eds) *Reinventing ASEAN*, ISEAS, Singapore, 2001, p.150.

[68] A.S. Whiting, ASEAN Eyes China: The Security Dimension, *The Asian Survey*, April 1997, Vol. 37, No. 4, pp. 301-302.

[69] T. Nischalke, Does ASEAN Measure Up: Post-Cold War Diplomacy and the Idea of Regional Community, *The Pacific Review*, 2002, Vol. 15, No. 1, p. 100.

this context norms are ideas that facilitate change. It further indicates the fundamental of norms being dynamic.

HOW DO ASEAN'S NORMS CONTRIBUTE TOWARDS REGIONAL SECURITY?

As define earlier, regional security approach refers to the predispositions of regional players in achieving regional security. This study had put forth arguments that socialisation brings regional players together and norms provides the do's, don'ts and how in achieving regional security; norms regulate and dictate the behaviour of regional players.

For example, emphasis on the norms of sovereignty and non-interference send reassurance signals to reassure regional players that regional institutions within ASEAN will not undermine players basic interests, that it will not be used by greater players to exploit or intimidate lesser players. Consensus meanwhile ensures not only that the institution doesn't move far ahead of the interests of the most sceptical state but also that the most sceptical state cannot veto resolutions. Consensus decision making is a logical mechanism to reassure regional players that the institutions will not violate sovereignty or national unity.

Norms profess by ASEAN prevents new issues and concerns from proliferating into disputes or conflicts, and mitigates historical baggage of disputes and conflicts from escalating. The practices and processes of ASEAN norms solve problems in amity, reducing enmity.

More importantly, in a wider regional framework, the ideas of ASEAN (norm, socialisation and identity) managed to bring together former adversaries together for a common interest, regional security. Notably are China, India, Russia, Japan, Koreas and not forgetting the most vocal critics of ASEAN norms, the US, which acceded to the

TAC in July 2009.[70] By acceding to the TAC, the US along with other signatories agreed to build confidence, promote peace and security, and facilitate economic cooperation in the region, within the ASEAN norms. How ASEAN norms contributed to the wider regional security environment will be further analyse in the next chapter.

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[70] United States Accedes to the Treaty of Amity and Cooperation in Southeast Asia, Bureau of Public Affairs, Office of the Spokesmen, Washington DC, July 22, 2009: http://www.state.gov/r/pa/prs/ps/2009/july/126294.htm

CHAPTER III

ARF: ASEAN ENDOGENIC STRATEGY

INTRODUCTION

ASEAN has in many ways helped in moderating and channelling the involvement of external powers in regional affairs. The mechanisms used by ASEAN are dialogue partnerships, post-ministerial conference and the various summits it holds with different major powers. While aware of the possibility that the region might become a cockpit of rivalry between competing major powers, ASEAN states have been successful in converting these powers into common stakeholders of the region's security. The most visible manifestation of this strategy was in the creation of the ASEAN Regional Forum (ARF). This ASEAN-driven forum is based on the idea of cooperative security that emphasise on norm-based behaviour and inclusivity. ARF has made it possible for major powers, the US, Russia, China, Japan and India among others, to engage the region in a benign mode and is a reiteration of a new approach that a balanced relationship among these powers benefits the region.

Engagement on their terms is a better strategy for the regional states to pursue rather than letting the region become an object of ugly rivalry between the great powers. This fear has assumed greater salience in the wake of China's rise and the US moves to check it. Similarly, the current deterioration in Sino-Japanese political relations is also causing uneasiness among the ASEAN states because of its destabilising effects beyond Northeast Asia. India's resurgence and its courting by the US and Japan, which has been duly noted by China, raise another set of anxiety. It would be ideal from the regional point of view if all these powers were in a cooperative mode while engaging the region. Unfortunately, this is not the case and the more their interests diverge, the more anxious ASEAN feels. Its major worry is not to be pushed into a situation where it might have to

choose between these powers, particularly between China and the US or between China and India.[1]

The ARF was established in 1993. It is the first multilateral security forum covering the Asia-Pacific region and has eighteen founding members. However, at present ARF have 27 members.[2] In a changed context of the post-Cold War period, ASEAN was further determined to push for the development of a multilateral security forum in the Asia-Pacific region, conforming to ASEAN's norms of regional autonomy and amity as stipulated in the TAC. This moves indicated that ASEAN is not an inward or exclusive but outward and inclusive institution in managing regional security.

This chapter argues that the ARF is an effort of extending ASEAN norms in managing regional security and a platform for socialisation between not only ASEAN and major powers but among major powers themselves. This study will also seek to present ASEAN success in bringing conflicting powers socialising together. This effort may not solve their differences in the near future but a high level of socialisation within the ASEAN norms may yield positive results. This chapter seeks to support the arguments above first by presenting the contending approaches in the formulation of the ARF. Arguments showing how ASEAN norms influence the formation of ARF, hence promoting socialisation between participants will then be explored. In proving the effectiveness of ASEAN originated norms in managing conflict at a wider forum, a case study on the South China Sea disputes will be discussed. The chapter concludes by discussing the contending issues of the ARF in the context of challenges and prospects.

ARF CONTENDING APPROACHES

Realists hold that small powers seek to align with others when faced with a threat from a large power. In this context, they would argue that the ASEAN countries, as small powers, sought US engagement in the region in order to constrain the major powers in Asia, such as China, through a multilateral framework, and thus they initiated the ARF

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[1]K. Sridharan, Major Powers and Southeast Asia: A Restrained Competition, p. 57.
[2] The founding members are the 10 ASEAN states, the United States of America, China, Japan, South Korea, Russia, Canada, Australia, New Zealand and Papua New Guinea.

process. It should be noted that following the end of the Cold War, ASEAN countries feared that the US would withdraw or significantly reduce its military presence in Asia. US withdrawal would change the balance of power in the region, prompting other regional powers such as China or Japan to fill the power vacuum.

Neoliberals on the other hand hold that, in a game of interstate relations, players may act rationally and seek cooperation, instead of pursuing immediate gains from defection. They may pursue an institution which provides its participants with information about the actions and intentions of others. Such an institution minimises the potential for exploitation by providing mechanisms for monitoring and by applying sanctions against violators. In this context, neoliberals would argue that ASEAN tactically cooperated with external powers, including China, by promoting a multilateral framework. It should be mentioned that, in the 1990s, the security policies of China were the most serious concern for the ASEAN countries.[3]

However, Acharya presented a constructivist arguments that indicates the ARF is not just material and interest based-driven but ideational and identity as well. Instead of limiting the focus to the structural and material substance of the ARF, he emphasises the importance of the process through which multilateral interactions take place. Hence, Acharya highlights the ideas, cultural norms and collective identity which play the significant role in understanding the ARF process. As such, he contends that the uniqueness of the ASEAN Way is imprinted in several aspects of ARF evolution.

SHAPING THE ARF THROUGH ASEAN'S NORMS

Since the formation of the ARF, ASEAN pursues a leading role in the ARF. Although the non-ASEAN members in the ARF expressed unhappiness about ASEAN's proprietarily claim to the ARF, for the great powers, there were a number of advantages to following ASEAN's lead in the creation of ARF. First, it was easier to utilise ASEAN, a proven institution, than to build a new structure. Second, as an organisation, ASEAN had a much better chance of getting China to the multilateral table than any western-

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[3]K. Snitwongse, ASEAN's Security Cooperation: Searching for a regional order, *The Pacific Review*, 1995, Vol. 8, No. 3, p. 524.

inspired institution. For China, it prefers ASEAN's slow and incremental approach to building regional relations.[4] More importantly, Narine arguments go hand in hand with the view of this study that the major powers joined the ARF to avoid being left out. From another perspectives, ARF epitomised ASEAN success in bringing warring and conflicting states to socialise under one roof, though the fruits of this efforts may not yield in the near future. Though non-interference may be a contentious norm, this study tends to argue it does attract some countries in joining the ARF, China and North Korea are fine examples.

Leifer however, presented a different view with regard to ASEAN leading role in ARF, noting that the non-ASEAN members accepted the name ASEAN Regional Forum as a transitional to Asian Regional Forum, reflecting the true scope and membership of the organisations.[5] However, notwithstanding the earlier argument, if scope and membership is a concern, Asia-Pacific Regional Forum is more relevant. Nonetheless, it is paramount to mention that ASEAN is cautious of extra regional proposals for regional order because of historic vulnerability to manipulations by external powers, including those considered to be security guarantors.[6] Furthermore, as Acharya pointed out, ASEAN exercised a form of soft power leadership which may be regarded as an important feature of the ASEAN Way in terms of the norms of *musyawarah* and *muafakat*.[7] It indicates that ASEAN non-aggressive and amity approach entices members to support the ARF, as Churchill used to say, "more jaw-jaw leads to less war-war". Anthony further supports this argument by saying that ASEAN Way can therefore be categorised as low-profile security approaches that promote trust and confidence building through established habits of dialogue, observance of regional norms and the

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[4] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p.111.

[5] M. Leifer, The ASEAN Regional Forum: Extending ASEAN's Model of Regional Security, Adelphi Paper No. 302, ISIS, London, July 1996, p. 41.

[6] A. Ba, The ASEAN Regional Forum: Maintaining the Regional Idea in Southeast Asia, *International Journal 1997,* Vol. 52, No. 4, pp. 644-645.

[7] A. Acharya, Culture, Security, Multilateralism: The ASEAN Way and Regional Order in K. Krause (ed) *Culture and Security: Multilatreralism, Arms Control and Security Building*, Frank Crass, London, 1999, p. 65.

building of loose or informal institution to support these process oriented approach in preventing regional conflicts.[8]

The Treaty of Amity and Cooperation: The Principal Norm

From the outset of the ARF, ASEAN members endeavour to instil ASEAN norms upon the ARF, specifically the norms laid down in the TAC. Norms such as mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations, the right of every state to enjoy its national existence free from external interference or coercion, non-interference, peaceful settlement, and renunciation of the threat or use of force was adopted as the foundation of the ASEAN Regional Forum. But other aspects of the ASEAN norms were also present in the making of ARF, like the cautious and incremental approach to security cooperation (often called "the adoption of a comprehensive approach to security") and an aversion to institutionalism and formalism.[9]

ASEAN's influence in formulating the ARF norms were highlighted in the 1995 document titled, ASEAN Regional Forum: A Concept Paper. The concept paper highlighted that the ARF's normative framework should be based on ASEAN principles and practices and that decisions should be made by consensus after cautious and extensive consultations; it also adopts comprehensive security approaches covering the broad spectrum of security. The paper also highlighted three key challenges facing the organisation effort to preserve peace and stability. First, the period of rapid economic growth are often accompanied by significant shifts in power relations, which can lead to conflict. The ARF must manage these transitions carefully to preserve peace. Second, the region is remarkably diverse. The ARF should recognise and accept the different approaches to peace and security and try to forge a consensual approach to security issues. Third, the region has a residue unresolved territorial and other disputes. Any of

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[8] M.C. Anthony, Regionalisation of Peace in Asia: Experiences and Prospects of ASEAN, ARF and UN Partnership, IDSS Working Paper, January 2003, No. 42, p. 9 at www.rsis.edu.sg/publications/WorkingPapers/WP42.pdf

[9] A. Acharya, Constructing A Security Community in Southeast Asia, p. 174.

these could spark conflagration that could undermine the peace and prosperity of the region.[10]

The Three Stages of Conflict Management

Against this background, the need for a gradual, evolutionary approach in three stages to manage regional security was stressed. The first stage, the promotion of confidence building measures, might adopt two complementary approaches; the first provided by ASEAN's experience in promoting cooperation and creating a regional climate conducive to peace and prosperity; secondly, by preparing lists of confidence building measures that ARF participants could explore and implement in the immediate as well as medium and long term. The second stage, the development of preventive diplomacy mechanisms, suggested different measures, such as, developing a set of guidelines for the peaceful settlement of disputes, promoting the recognition of TAC principles. The third stage, the development of mechanisms for conflict resolution.[11] This last stage may prove to be a contentious issue, while the first two stages may be beneficial in preventing conflicts, Acharya argues that any attempts to resolve existing territorial disputes such as in the South China Sea can threaten regional order.[12] This argument will be discussed later in the chapter.

Nevertheless, despite a number of practical defects in the concept paper, it should be highlighted that since the ARF is an ASEAN-led process, the development of the ARF will follow an evolutionary approach. The origin and evolution of ASEAN, in particular the development of ASEAN norms and principles, provide a clear understanding on how the ARF will likely to develop as a multilateral security organisations.

Under ASEAN's direction, the ARF opted for a thin institutional structure consisting of its annual Foreign Ministers, as well as the Senior Official Meetings (ARF-SOM). Through these interactions, the inter-session activities and numerous Track One

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[10] http://www.aseansec.org/3693.htm

[11] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, pp. 128-142 & http://www.aseansec.org/3693.htm

[12] A. Acharya, Constructing A Security Community in Southeast Asia, p. 177.

and Track Two activities, the ARF has formed a series of formal and informal networking. These networking created a high level of socialisation of trust, familiarity, ease and comfort, which became a significant asset during critical periods of conflict prevention and management.[13] These will be further analyse in the next chapter.

Consensus

Given that the ARF decisions are also determined by consensus and not by unanimity, the rule of consensual decision making is a logical mechanism in reassuring member states that the institution will not undermine sovereignty nor impinge on national unity.[14] Johnston further argues that in the context of pluralistic cultures, consensus decision making is viewed as proper because it lessens inter-group conflicts.[15] Being suspicious of rigid multilateral institutionalisation, China also supports ASEAN's approach to pursuing a careful and incremental progress in the ARF security agenda, in contrast to the fast track approach favoured by the ARF's Western members.[16] Moreover, the ARF rejected the idea of a secretariat, even after the Asian Financial Crisis.[17] As the 1995 Concept Paper emphasise, in accordance with prevailing ASEAN practices, the Chairman of the ASEAN standing Committee shall provide the secretarial support and coordinate ARF activities.[18] Therefore, it is safe to argue that the ARF is influenced and shaped by ASEAN characters.

Impact of ASEAN Norms

It is clear that ASEAN has been quite successful in promoting its norms and principles in the ARF. However, some scholars are sceptical about the idea of the ASEAN Way within the ARF. Evans stressed that the ASEAN model in the Asia-Pacific multilateral security approach is neither as consistent nor as static as it first appears, in a

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[13] M.C. Anthony, Anthony, Regionalisation of Peace in Asia: Experiences and Prospects of ASEAN, ARF and UN Partnership, pp. 10-11.

[14] A.I Johnston, The Myth of the ASEAN Way? Explaining the evolution of the ASEAN Regional Forum in H. Haftendom, R. O. Keohane, & C.A. Wallander, (eds) *Imperfect Unions*, Oxford University Press, New York, 1999, p. 298.

[15] Ibid, pp. 296-298.

[16] A. Acharya, Constructing A Security Community in Southeast Asia, p. 174.

[17] Ibid, p. 183.

[18] http://www.aseansec.org/3693.htm

way ASEAN's influence in ARF is exaggerated.[19] Leifer meanwhile view the ARF as a highly imperfect diplomatic instrument for coping with the new and uncertain security context.[20] Acharya however rebuts those views and supported the future prospects of the ARF in implementing the ASEAN Way by arguing that the ASEAN Way, despite its practical limitations, has been a useful symbol for regional policy makers to advance their process of socialisation. It has helped us to understand not only why multilateralism is emerging in the Asia-Pacific right now, but more importantly, which type of multilateralism is emerging and will prove viable in the end.[21] However, when ASEAN failed to respond to its period of turmoil in the late 1990's, it nearly threatened to diminish the credibility of its framework and its leading role in the ARF. Under these circumstances, Narine dismisses the viability of the ASEAN norms in framing the ARF. He argues that ASEAN norms only work at the intra-ASEAN level, in the Cold War period and earlier times. In a wider based forum that demands incrementally binding and strong institutionalised structures, the ASEAN norms will only generate dissatisfaction from non-ASEAN states with regard to the weaknesses and inefficiency of those norms. In countering these arguments, it is worth pointing out that ASEAN emphasises the value of enhancing not only collective identity within the region, but also the norm-driven regional ideas as a means of ASEAN's mechanism of conflict management.

CONFLICT MANAGEMENT IN ARF: NORMS AT WORK – THE SOUTH CHINA SEA DISPUTES

After the Cold War, ASEAN members were confronted with the prospect of diminishing super power rivalry in the region. At the same time, ASEAN starts to acknowledge the rising of economic and military power of China, coupled with the withdrawal of the US from the region, it poses the biggest challenge to Southeast Asia as well as the Asia-Pacific region. Despite the United States global hegemonic status, ASEAN sees the need to address China rising power. However, rather than bandwagoning, balancing, hedging

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[19] P. Evans, Assessing the ARF and CSCAP in H. Tien, & T. Cheng, (eds) *The Security Environment in the Asia-Pacific*, M.E. Sharpe, New York, 2000, p. 158.

[20] M. Leifer, The ASEAN Regional Forum: Extending ASEAN's Model of Regional Security, p. 55.

[21] A. Acharya, Ideas, Identity and Institution Building: From the ASEAN Way to the Asia-Pacific?, *The Pacific Review*, 1997, Vol. 10, No. 3, p. 343.

or enmeshment as propose by Goh,[22] ASEAN decides to socialise with China. ASEAN felt socialisation is a better approach because ASEAN concerns with China stands right in front of its face. As Singh indicated, "China is not far away but shares borders with ASEAN and China indeed has territorial disputes with ASEAN members in the South China Sea.

Given the circumstances, this paper sees the need and relevance to study how the ARF facilitates the South China Sea disputes, in dealing with the possibility that China might resort to the threat or use of force to enforce territorial and jurisdictional claims against the ASEAN claimants. The case study is deemed suitable to show how the ASEAN norms adopted by the ARF address conflicts multilaterally. It will be conducive to understand not only the type and style, but also the extent and scope of the ASEAN's mechanism of conflict management in the region.

With the emerging hegemony of China in the region, ASEAN tried to deal with the issues of the South China Sea as an agenda of the ARF, despite an initial strong opposition from China. Whereas ASEAN pursued a multilateral approach to the territorial dispute in the South China Sea at the ARF, China refused to include the disputes as an agenda for the ARF, asserting that the ARF is not the proper platform to deal with the issue and preferring to deal with it bilaterally.[23] However, despite China's oppositions to internationalising the issue at the ARF, ASEAN managed to raise the issue in the 1995 meeting of the ARF.[24]

Despite its potential conflict, the competing claims have not caused large scale military operations or actions by either claimant. During the Cold War period, claimants were occupied with other pressing issues, including the communist threat, Cambodia issue and Indochina War. However, in 1992, the changing security environment opens a new chapter in the South China Sea disputes. China issued the "Law of the People's Republic of China on the Territorial Sea and Contiguous Zone". This act, in essence,

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[22] E. Goh, 2005, Great Powers and Southeast Asia Regional Security Strategies: Omni-enmeshment, Balancing and Hierarchical order. Institute of Defence and Strategic Studies, Singapore, 2005 at dr.ntu.edu.sg/bitstream/10220/4481/RSIS-WORKPAPER_84.pdf

[23] M. Leifer, The ASEAN Peace Process: A Category Mistake, The Pacific Review, 1999, Vol. 12, No. 1, p. 32.

[24] S. Narine, *Explaining ASEAN: Regionalism in Southeast Asia*, p. 89.

indicated that China will be allowed to order an immediate eviction of foreign naval vessels from the disputed area and it affirms China's right to exercise sovereign authority over its territorial waters and contiguous zone using military ships and aircraft. ASEAN was alarmed by the Chinese bold and aggressive approach, which can only be explained by the withdrawal of the United States from the region and the opportunity presented by the enactment of the 1982 United Nations Conference on the Law of the Sea (UNCLOS), which allows for maritime states to extend their jurisdiction over territorial waters.[25]

The Chinese Law prompted ASEAN to issue the ASEAN Manila Declaration on the South China Sea in July 1992, which was hailed as an initial step toward peaceful settlements of feasible conflicts and rules governing the use of natural resources in the area. The declaration stressed for the necessity to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means, without resorting to the use of force and urged for all parties to exercise restraint.[26]

Interestingly however, ASEAN had never tried to address issues multilaterally, preferring bilateral settlement as indicative in the Sabah claim by the Philippines, Sipadan-Ligitan and Pulau Batu Putih issues. For the purpose of attaining the norms of informality, non-confrontation and non-use of force, ASEAN members decided to utilise a two-pronged approach in dealing with the conflict. First; ASEAN pushed for an informal bilateral approach in order to prevent contentious conflict with China. Second; formally opting a multilateral approach via the ARF with the view of resolving the conflict incrementally. As a result of these approaches, in 1997, ASEAN proceed to consider a Chinese draft proposal for a framework for political and economic cooperation, which involved norms of conduct for their relations and guidelines for the peaceful settlement of the South China Sea issue. The Philippines, an active claimant, drafted a counter declaration on behalf of ASEAN, that was binding and legal, but was rejected because ASEAN members prefer for an approach in consistent with the ASEAN Way.[27]

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[25] R. J. Ferguson, New Forms of Southeast Asian Regional Governance: From Codes of Conduct to Greater East Asia in Tan & Boutin (eds) *Non-Traditional Security Issues in Southeast Asia*, IDSS, Singapore, 2001, pp. 127-130.

[26] http://www.aseansec.org/1196.htm

[27] A. Acharya, Constructing A Security Community in Southeast Asia, p. 135.

Importantly, ASEAN has to some extent, been successful in managing the South China Sea disputes. With both multilateral and bilateral approaches, ASEAN could bring the disputes into the international limelight suggesting a diplomatic cost for China should it resort to the use of force.[28] Evidently, ASEAN has gained success in dealing with China in terms of the disputes with the acceptance and ratification of the ASEAN Declaration on the Conduct of Parties in the South China Sea in 2002, after a lengthy discussions and consultations.[29] The ratification of the declaration was a major leap for peace, stability and development in the region.[30]

It is important to note that the Declaration, as presented in Appendix C[31], stress the basic norm enshrined in the TAC. ASEAN's soft and amity approach in the Declaration prompted China to accede the Declaration, which then resulted in China ratifying the TAC in 2003.[32] With these successes, it further endorsed the viability of ASEAN normative norms in a wider forum. During the ASEAN Summit in 2003, ASEAN continued to stress the importance of the TAC in the Bali Concord II, by indicating that the TAC is the key conduct... for the promotion of peace and stability in the region. ASEAN is... outward looking in respect of... engaging ASEAN's friend and Dialogue Partners (of the ARF), to promote peace and stability in the region and shall build on the ARF to facilitate consultation and cooperation between ASEAN and its friends and partners on regional security matters.[33] At the ARF Ministerial Meeting in 2004, reiterating the importance of the implementation of Declaration on the Conduct of Parties in the South China Sea, the Ministers underlined the importance of confidence building and the need to explore ways and means for cooperative security activities particularly between ASEAN and China, thus creating favourable conditions for settling disputes in South China Sea peacefully.[34]

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[28] Ibid, p. 135.

[29] R. C. Severino, *Southeast Asia in Search of an ASEAN Community: Insights from the Former ASEAN Secretary General*, pp. 184-186.

[30] E. Solidum, *The Politics of ASEAN: An Introduction to Southeast Asian Regionalism*, Eastern University Press, Singapore, 2003, p. 110.

[31] http://www.aseansec.org/13165.htm

[32] D. Weatherbee & R. Emmers, *International Relations in Southeast Asia: The Struggle for Autonomy*, Bowman & Littlefield, Maryland, 2005, p. 45.

[33] http://www.aseansec.org/16806.htm

[34] http://www.aseansec.org/16246.htm

Given the circumstances described above, it can be argued that ASEAN kept assuring and reassuring the meaning and value of such regional norms as pacific settlement of disputes in order to socialise China to incrementally adopting the ASEAN Way. Most important was the achievement of ASEAN to continually pursuing its unique multilateralism, which was linked to the idea of the ASEAN Way. In terms of multilateralism in the ARF as an approach to the Asia-Pacific regional order, the nature of multilateralism in the region is quite different from the nature of multilateralism in the Western region. As Narine points out, the ASEAN members initially asserted that ASIA was too heterogeneous and diverse for the Western approach of multilateralism.

In Europe for example, the Organisation on Security and Cooperation contributed to the process that resulted in the end of the Cold War: in the Asia-Pacific region, however, the concept of multilateralism began to attract attention only after post-Cold War, and it is only at the initial stage to be developed from such norms and ideas of the ASEAN Way as a minimal institutional framework.[35] Furthermore, multilateralism in the Asia-Pacific is primarily seen not only as a reaction to growing regional insecurity of the post-Cold War period, but also as a measure to pre-empt others from imposing a non-ASEAN framework on Southeast Asia.[36] Unlike Europe, multilateralism in the Asia-Pacific is being focused on how to deal with strategic uncertainties of the post-Cold War rather than on a set of specific goals or institutional structures demanding legal agreements.[37]

Although Western powers attempted to impose their own concepts and frameworks on the ARF, ASEAN rejected it and seize the ARF within the ASEAN. The reason was ASEAN objected to other powers wishful approaches to constructing multilateralism in the Asia-Pacific region is explained by Ba.[38] "Southeast Asia historic vulnerability to external domination could make ASEAN... suspicious that other powers,

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[35] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, pp. 187-188.
[36] A. Ba, The ASEAN Regional Forum: Maintaining the Regional Idea in Southeast Asia, pp. 644-645.
[37] A. Acharya, ASEAN and Asia-Pacific Multilateralism: Managing Regional Security in A. Acharya & R. Stubbs (eds) *New Challenges for ASEAN: Emerging Policy Issues*, British Columbia Press, 1995, p. 198.
[38] A. Ba, The ASEAN Regional Forum: Maintaining the Regional Idea in Southeast Asia, p. 645.

even the great powers guarantors, do not have Southeast Asia's best interest in mind. With persistent adherence to the Asian way of multilateralism in the ARF, ASEAN endeavoured to induce China to be engaged in the forum. In this context, ASEAN member states agreed that the most desirable approach to China, especially in dealing with the South China Sea conflict, should be the strategy of engagement and socialisation, rather than containment. As Acharya notes, "ASEAN cannot pursue a containment strategy because the collective capabilities of its members will not match the military might of China. A containment strategy requires ASEAN to become a military alliance which ASEAN continue to reject in no uncertain terms. For ASEAN, accepting a containment strategy under the US leadership will be acknowledging the limitations and failure of ASEAN's own political approach to regional order, which is based on the principles of inclusiveness and cooperative security.[39]

With regard to the engagement of China in the ARF, especially in dealing with the South China Sea conflict, ASEAN also recognised that a code of conduct resulted from the South China Sea Declaration could benefit the Chinese in terms of reducing the risk of conflict in the area, which could also involve the US in the conflict. In fact, the experience in dealing with Taiwan during the 19995-1996 demonstrated to China that the assertion of territorial claims may provoke the US involvement and could encourage ASEAN to collectively oppose the Chinese.[40] Moreover, China's economic development strategy cannot be sustained in an environment of regional tensions, which would be inevitable if China is to embark on military expansion. This perspective holds that the Chinese military control over the South China Sea is not yet paramount, and that Beijing cannot exploit the resources in the area without Western technology and capital.[41] Therefore, the South China Sea has become strongly connected with other issues which restrain China from acting unilaterally to assert its claim, despite its strong initial intentions.

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[39] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, p. 210.

[40] L. Buszynski, ASEAN, the Declaration on Conduct and the South China Sea, *Contemporary Southeast Asia*, 2003, Vol. 25, No. 3, p. 357.

[41] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, p. 204.

Although materialist explanations such as the shift of the power structure and the challenges of the geo-economic strategy in the post-Cold War period can be conducive to understanding the emergence of the ARF, rationalist and materialist factors alone are not sufficient to explain the genuine mechanism of multilateralism in the forum. As mentioned earlier, the major character of multilateralism in the Asia-Pacific region has not only been process-driven but also identity driven. The ARF could focus on a sociological and inter-subjective dynamic, rather than a legalistic and formalistic.[42] ASEAN's response to the emerging threat of China with regard to the South China Sea issues was oriented toward gradual and informal approaches to constructing regional security cooperation and regional identity through consensus out of disparate interests and concerns. In this context, it can be argued that ASEAN has attempted to expand the regional idea and concept, from the ASEAN Way to the Asia-Pacific Way.[43]

Therefore, several motivations of both material and ideational interests on the ASEAN's part as well as China's part, as previously noted, are symptomatic of the impact of the ASEAN Way on initiating and advancing the ARF in terms of the informal and identity driven negotiations which emphasise the circumspect and gradual betterment in the new multilateral approach. Through the ASEAN Way, ASEAN has attempted to use multilateralism in socialising China to be engaged towards a shared identity and interests.

CHALLENGES

The lack of measures to compel others to engage in certain types of behavior may make the ARF imperfect, but does it also make it ineffective? "Despite being labeled a 'talk shop,'" Acharya points out that the ARF, "fulfills the expected function of institutions in lowering transaction costs, providing information and preventing cheating."[44] The ARF clearly has promoted regional stability via the creation of confidence building measures and numerous venues for the exchange of ideas and building of trust. Japan, for instance, views the organization as a "vehicle for enhancing the overall diplomatic climate

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[42] Ibid, p. 248.
[43] Ibid, pp. 242-275.
[44] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, p. 332.

between regional countries and as an important element of its policy of engagement with China and North Korea".[45] The Japanese know that many of their neighbors are still distrustful and the ARF provides a welcome setting for reassurances. Similarly, as China's military and economic power grows, it increasingly has an interest in signaling its peaceful intentions and interacting with its neighbors in a multilateral institutional setting. And even though China, when it first joined the ARF, was concerned that the US and Japan might gang up on it, it quickly concluded that staying out was too risky and therefore not an option.[46]

Much like Acharya has found in the case of ASEAN, it can be argued that "persisting bilateral tensions, territorial disputes, and militarisation" also undermine the ARF's effectiveness as a viable regional security provider.[47] What one continues to see is a gradual, piecemeal approach to cooperation where the norm of noninterference, the consensus principle, the lack of institutionalisation, and the absence of interoperability constrain policy options, and where undesirable behavior by a member, for the most part, still goes unpunished.

To enhance security in the region, and assure that countries like Japan and the US will not lose interest in the ARF, tangible progress has to be made, particularly with respect to the non-interference principle. So long as states have either asked for or consented to intervention by the ARF, Japan for instance thinks, the organisation should be allowed to play a role in intrastate conflict. In such cases, as long as preventive diplomacy measures were to be authorised by the states involved, their use would neither violate state sovereignty nor the principle of noninterference in the domestic affairs of others. Put differently, activist ARF members like Australia, the US, Canada, and Japan think it is important to depart from the rules that characterise the ASEAN Way in order for the organisation to develop more meaningful preventive diplomacy mechanisms.

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[45] T. Yuzawa, *Japan's Security Policy and the ASEAN Regional Forum: The Search for Multilateral Security in the Asia Pacific*, Routledge, New York, 2007, p. 177.

[46] Ibid, p. 42.

[47] A. Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific*, p. 170.

The ARF also needs to rethink the consensus principle which often gets in the way of joint agreements. This obstacle could be dealt with if ARF members were willing to adopt an ASEAN procedure known as the "ASEAN Minus X" understanding.[48] The latter essentially allows for a "coalition of the willing," and thus, much like in the European theater, makes it possible to progress in situations where not everyone is able/willing to move at the same speed. Since inclusivity can hinder progress, it sometimes may be better to seek cooperation among a smaller number of players to reach agreement rather than trying to get everyone on board.[49] Such a move, however, can be expected to be rejected by more reluctant ARF members like China and most of ASEAN.

Additionally, there is a need for greater institutionalisation. Since an early warning system, for example, requires a mechanism to collect data, either a permanent secretariat or something like a Regional Risk Reduction Center will have to be put in place to make concrete progress in this area.[50] At the same time, even though some ASEAN members and China have been hesitant to give greater powers to the ARF Chair, it seems to make sense to create a triumvirate--comprised of present, immediate past and prospective chairmen--as found in the EU Commission to assure some continuity and promote institutional learning.

Further undermining the ARF's effectiveness is the absence of interoperability and, to date, pretty much an unwillingness or inability to set up effective arrangements to cope with transnational challenges.[51] However, in mitigating this argument, earlier discussion pointed out, there has been significant progress with respect to confidence-building measures and preventive diplomacy, but much fewer tangible results can be seen in the area of conflict resolutions. However, as repeatedly highlighted in this study,

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[48] S. Sheldon, ASEAN and Its Security Offspring: Facing New Challenges, *Strategic Studies Institute United States Army War College*, August 2007 at http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=793.
[49] J. Garofano, Flexibility or Irrelevance: Ways Forward for the ARF, *Contemporary Southeast Asia*, 1999, Vol.21, No.1, p. 84.
[50] T. Yuzawa, The Evolution of Preventive Diplomacy in the ASEAN Regional Forum, *Asian Survey*, 2006, Vol. 46, No. 4. p. 801.
[51] S. Sheldon, ASEAN and Its Security Offspring: Facing New Challenges at http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=793.

ASEAN and its offspring are more concerns with processes and socializing then comes conflict resolution.

The Achilles heel of the ARF is its lack of enforcement mechanisms or sanctions. As is, the organization has no way to punish members who choose not to comply with its norms and rules. In the case of North Korea, for instance, ARF members so far have done no more than express their concern over the DPRK's failure to meet the requirements for a declaration of its nuclear programs and repeatedly called for progress in the Six-Party talks. Similarly, during the recent unrest in Myanmar, ARF members essentially did no more than voice their concern and urge the government to promote peaceful change and reconciliation. To become more effective in situations like the ones described above, the organization would have to develop contingency-planning against any members within the grouping, come up with formal and/or informal dispute settlement mechanisms, or try to resolve conflicts via compromise.[52]

PROSPECTS

Given the history of the region, countries in Asia-Pacific are sensitive to infringements on their sovereignty and, rather than to curtail their freedom of action, prefer to begin by building mutual trust, respect, and tolerance through regular talks and then graduate to more ambitious goals. Confidence-building measures, preventive diplomacy and conflict resolution, are the bottom line, and multilateral institutions, by redefining identities and acceptable standards of behavior and promoting greater transparency, are a good way of getting there.[53]

Institutions like ASEAN and the ARF are vital when it comes to community building and members hope that by engaging each other they can promote understanding, avoid problems from spiraling out of control, and over time create more sophisticated security structures that can cope with bigger problems. The idea is to acquire information and then, gradually, change interests and preferences. As Johnston and Evans put it, "the

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[52] J. Garofano, Flexibility or Irrelevance: Ways Forward for the ARF, p. 84.
[53] P.J. Katzenstein, & N. Okawara, Japan and Asian-Pacific Security, in J. J. Suh, Peter J. Katzenstein, & Allen Carlson (eds) *Rethinking Security in East Asia. Identity, Power, and Efficiency*, Stanford University Press, Stanford, p. 120.

most important function of dialogue forum is not the rules they create but the suspicions they allay and the norms they reinforce".[54]

Strategic instability does exist in Asia-Pacific and, as the Six Party talks most recently have shown, the countries in the region, much like the Europeans in the aftermath of World War II, slowly seem to understand that it is in their interest to include their most likely adversaries in cooperative security structures, rather than to ally against them. What specific form cooperative security arrangements in the region will take in the not too distant future is still to be determined.

ARF, as Buzan and Weaver correctly point out, "binds the relevant actors, (United States), Japan and China into a regional institutional framework, allowing Japan to address its historical problem, China to address fears of its neighbors (and ally), and to avoid conspicuous balancing behavior towards each other".[55]

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[54] A.I. Johnston & P. Evans, China's Engagement with Multilateral Security Institutions, in Johnston & Ross (eds) *Engaging China: The Management of an Emerging Power*, Routledge, London, 1999, p. 264.

[55] B. Buzan & O. Waever, *Regions and Power: The Structure of International Security*, Cambridge University Press, London, 2003, p. 158.

CHAPTER IV

TRACK TWO AND TRACK THREE: THE BACKDOOR STRATEGY

INTRODUCTION

Conceptually this paper argues that ASEAN's strategy in managing regional security is by creating collective identity and interests through socialisation within set of norms. It also presents that institutions are important as agents of socialisation. In proving the conceptual and theoretical framework, Chapter Two and Chapter Three had presented state-centric institutions, ASEAN and the ARF, as agents of socialisation. This chapter will now presents how non-state actors influence ASEAN's regional security approach.

From a realist point of view, this approach may not be explainable since the realist level of analysis in international relations only recognises states as the main actor. Though liberalism was quite similar to constructivism in promoting institutions, its emphasis on material and disregarding the role of ideas, values and identities, lacks flexibility in explaining non-state actors in shaping regional identity. Hence constructivism will best explain non-state actor's role in international relations. As explained by Caballero-Anthony, "Constructivism, specifically, allows us to identify these non-state actors as the agents who bring with them ideas that are critical in shaping state policies. Constructivism also alerts us to perceptible changes in attitudes and approaches within and among states that may be taking place as ideas find their way into concrete policies. These ideas add to the dynamics as state actors, and to a certain extent, non-state actors engage in the processes that bring about inter-subjective understanding

on how inter-state relations should be. Thus, these non-governmental channels become important building blocks in the formation and generation of intra-state and inter-state/regional policies".[1]

This chapter presents Track Two and Track Three functioning as an agent of socialisation and at the same time as norms in managing regional security. This chapter also argues that Track Two and Track Three are regulative norms and supplement the formal approach in ASEAN and ARF in managing regional security. More importantly, this chapter will present how ASEAN extended quiet diplomacy, using unofficial approach to maintain the full spectrum of security, especially societal and environmental, at the same time strictly adhering to the constitutive norms stipulated in the TAC and ASEAN Charter. This chapter seeks to provide empirical evidences to support the theoretical framework of explaining ASEAN regional security approach through the socialisation process of actors within consented norms.

In doing so, the chapter will first present a definition for multi track diplomacy. This will be followed by arguments on why ASEAN and the ARF adopts unofficial approach in managing regional security. Finally, the chapter will provide the empirical evidence of track two and track three as norms and institutions in supporting the study, before concluding.

DEFINITIONS

Track Two

Job identifies track two as "the entire complex of informal networking activities, unofficial channels of communication and people-to-people diplomacy, across national and regional levels, including official and non-governmental diplomacy, undertaken across social, political and economic realms of civil society. In this sense, Track Two characterises an overall dynamic of changing norms, identities and institutions. It evokes notion of socialisation, community building, nurturing of collective identity and progress

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[1] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 158.

toward establishing a security community.[2] He went further in identifying two key components of Track Two. First, security dialogues: meetings organised to engage participants from several countries in discussions concerning security issues of mutual concerns. Second, inclusive and non-confrontational: to engage parties from contending perspectives. The goal is to achieve a mutual understanding of perceived threats and security goals.[3]

Track Two diplomacy is process oriented rather than results oriented, in that dialogue and informal discourse are seen as having intrinsic value as confidence building measures. Norm entrepreneurship and identity building are considered critical. Such ideas are congruent with principles and norms cultivated by ASEAN countries over the years, encapsulated in the phrase the ASEAN way[4]

The Track Two process is based upon principles of informality, inclusivity and non-attribution, in order to encourage frank debate and openness by the participants. It works from the assumption that the unofficial status of the meetings will permit the discussion of subjects that might be considered too sensitive or controversial for official discourse or formal negotiations.[5]

Track Three

Track Three activities grew out of the efforts of what Keck and Sikkink refer to as transnational advocacy networks. These are nongovernment groups organised (across national borders) to promote causes, principled ideas, and norms, and they often involve individuals advocating policy changes that cannot be easily linked to a rationalist understanding of (state) "interests". Track three thus applies to modes of activities described as people to people diplomacy undertaken by both individuals and private

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[2] B. L. Job, 2003, Track 2 Diplomacy in M. Alagappa (ed) *Asian Security Order,* Stanford University Press, Stanford, 2003, p. 246.
[3] Ibid, p. 247.
[4] Ibid, p. 244.
[5] D. Capie & P. Evans, The Asia-Pacific Security Lexicon, 2002, pp. 213-214.

organizations. They emerge when domestic channels for the critical engagement of government policy are absent or inaccessible.[6]

Capie and Evans defines track three as the activities and meetings of groups such as non-governmental organizations, transnational networks and advocacy coalitions, representing communities and people who are largely marginalized from the centre of power.[7] Track three does not disregard the traditional concerns of state and military and state as security referent as mentioned by Capie and Evans, "Track three groups have also articulated critical positions on regional security. While there is no single line of thought, typically they are opposed to the presence of foreign bases in the region, high levels of military spending and the acquisition and proliferation of weapons systems, including missiles defences.[8] However, it is in the society and environment as security referents that are of more interests to track three. For the purpose of the study, this paper adopts track three as an approach taken by concern groups that does not have direct linkage to authority.

WHY AN UNOFFICIAL APPROACH?

This chapter puts forth an argument that ASEAN and the ARF adopted a multi-track diplomacy as a regulative norm in managing regional security as an alternative or means to address the full spectrum of security especially societal, economic and environment in conforming to the constitutive norms laid in the TAC (especially respect for sovereignty and non-interference). It is also a means to supplement ASEAN and the ARF interstate diplomacy in areas where states action were limited by the constitutive norms agreed upon by member states of ASEAN and participants of the ARF. As Job rightly points out, "Traditional modes of interstate diplomacy were neither sufficient for nor necessarily sympathetic to multilateral institutions building around cooperative security principles. The Asia-Pacific region is still a decidedly state-centric environment in which governments guard their monopolies of authority both in domestic contexts (thus the

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[6] H.J.S. Kraft, Track Three Diplomacy and human Rights in Southeast Asia, *Global Networks*, 2002, Vol. 2, No. 1, p. 52.

[7] D. Capie & P. Evans, The Asia-Pacific Security Lexicon, p. 217.

[8] Ibid, p. 218.

preoccupation with non-interference) and in international relations (thus the strong advocacy of sovereignty and equality).[9]

Job proceeds by further saying, "This (ensuring security) was not, however, accomplished through traditional diplomacy or formal institution building. It was attained through the nurturing of informal, unofficial networks – frequent and sometimes regularised meetings of experts, business leaders, officials and political figures designed to advanced functional cooperation and promotes mutual trust and confidence".[10] Job further enhance states usage of track two in addressing security by saying, "some governments have viewed track two diplomacy as another strategic tool for the promotion of their regional security interests.[11] By this, the study identifies the activities mention by Job as a process of socialisation. Together, by virtue of it as a diplomacy approach, track two is also a regulative norm in ASEAN's practices. Though Job may refer to track two, track three is as much as unofficial as track two, hence this study propose that multi-track are both an agent of socialisation and norms in ASEAN regional security approach.

This relationship, multi track as norm and also as an institution, is further highlighted by Capie and quoted by Job, "the promotion of cooperative security, multilateral institutionalism and associated track two modalities, served to create a normative social environment where the reputational costs and advantages to the United States and China were altered, especially when weighed against the relatively undemanding institutional form of multilateral dialogues and soft institutions. He concludes by asserting that, "to be a legitimate member of the emerging Asia-Pacific community required a commitment to a certain set of Asia-Pacific norms. Track two (processes and institutions) helped to make clear to them what the rules of that alternative regional order be, i.e. non-threatening, inclusive, soft-institutionalism, that did not impinge on either their national or bilateral core security interests.[12]

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[9] B.L. Job, Track 2 Diplomacy in M. Alagappa (ed) *Asian Security Order*, p. 246.
[10] Ibid.
[11] Ibid, p. 248.
[12] Ibid, pp. 269-270.

Jusuf Wanandi relates the importance, success and roles of track two by saying, "Since 1985 activities of NGOs, second track networking and people to people diplomacy have given a new impetus to ASEAN's existence and strengthen ASEAN as an organisation. It has also added another element to ASEAN, namely the transformation of ASEAN from a *gesellschaft* (or modern social entity that has been founded on rational organisational requisites) into a *gemeinschaft* (an organic entity that has elements of emotional or psychological ties between its members, that brings deeper, wider and stronger than in *gesellschaft*)".[13]

TRACK TWO CONTRIBUTIONS IN MANAGING REGIONAL SECURITY

The ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS)

This section argues that ASEAN-ISIS is a non-official institution in promoting regional security by acting as a socialising agent by promoting ASEAN constitutive norms and the regulative norm of ASEAN diplomacy, *musyawarah* and *muafakat*.

The ASEAN-ISIS was established as a regional non-governmental organisation with the signing of its Charter in 1988.[14] The most significant role of ASEAN-ISIS were to pave the way for the establishment of the ARF within the framework of the TAC and eventually the successful accession of other Southeast Asia states that were not ASEAN members and the rest of the ARF participants to the TAC. This move is significant because it brings all concern parties to conform to ASEAN norms in maintain regional order.

ASEAN-ISIS executed this function by organising various dialogues and conferences at the regional and international level. This section argues that these organised conferences are significant avenues for participants and actors to share information, analyse issues of common interests and generate policies for recommendation.

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[13] Jusuf Wanandi, The Future of ARF and CSCAP in the Regional Security Architecture in Jusuf Wanandi (ed) *Asia-Pacific After the Cold War*, CSIS, Jakarta, 1996, p. 231.

[14] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 160.

The Asia-Pacific Roundtable

The most significant platform in this context is the Asia-Pacific Roundtable (APR). APR is the region biggest multilateral track two conferences on security and where most ideas on security cooperation have been tested and launched. APR contribution towards regional security can be deduced as follows:

- **Multilateral and Inclusivity**. APR is truly multilateral by including participants from all disciplines and nationalities, including government officials in their personal capacities. The value of this non-exclusive participation is plenty. However, more importantly it provides participants the opportunity to present and hears various perspectives on issues, which allow for better appreciation of the diversity in views and positions of states with respect to certain policy issues.[15]

- **Generating Ideas and Solutions**. This track two process can generate new ideas and solutions that are difficult to achieve through state bureaucracy. It serve as a useful source of advice to governments by providing studies on issues that officials neither have the time nor the resources to address in order to develop a substantial base of expertise, a mechanism for capacity building.[16] In this context, APR is recognised as a testing ground for the acceptability of new ideas due to its relatively autonomous status to track one. Often these issues are too sensitive to be raised at the track one level. After all, low profile discussions have been the ASEAN Way.

- **Supplementing the Norm of Non-Interference**. Closely related to sensitive issues, platforms such as APR gave an alternative for difficult issues involving sovereignty, territorial and non-interference be discussed when discussion at track one level reaches a deadlocked. Examples are the South China Sea disputes and its joint cooperation proposals and the Korean Peninsula issue.[17] To this end, track two channels provided states to respect the norm of non-interference and at

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[15] Ibid, p. 161.

[16] ASEAN-ISIS Memorandum 1991 and 2006 in Soesastro, Joewano & ASEAN-ISIS Twenty-Two Years of ASEAN-ISIS and Caballero-Anthony, M. p. 161.

[17] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 161.

the same time able to project discussion in a more exploratory way and greater frankness.

☐ **Networking**. Conferences such as APR brings participants at all levels concern with regional security under one roof on a regular basis. It gives participants to develop personal relations, hence enhancing the ASEAN way of diplomacy of *musyawarah* and *muafakat*.

This study has to agree with the observations made by Caballero-Anthony that ASEAN-ISIS allows for socialisation of the idea of regional cooperation through dialogue. Through networking and building personal relations, cooperative habits are learned, paving the way for increased international cooperation. These types of multilateral dialogues that foster socialisation of ideas and norms help promote international cooperation. This in itself is a mechanism of conflict management at work, informal it may be.[18]

The Council for Security Cooperation in Asia-Pacific

The Council for Security Cooperation in the Asia Pacific (CSCAP) arose out of recommendations from ASEAN-ISIS in the early 1990s to enhance security cooperation amongst ARF members. In 1992 ASEAN-ISIS co-organised a conference on "Security Cooperation in the Asia Pacific" in Seoul where the idea of a wider second track process was aired. This was an important, ambitious and exciting initiative in a region that had been opposed to multilateralism. CSCAP was formally established in 1993 as a track two processes within the ARF with its secretariat located at ISIS Malaysia. The CSCAP members are national committees set up within research institutions of the Asia-Pacific countries. In the ASEAN countries the CSCAP national committees are set up within the ASEAN-ISIS institutions. CSCAP's purpose is to provide a structured process for regional confidence building and security cooperation by which political and security issues can be discussed by scholars, officials, and others in their private capacities.[19]

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[18] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way,* p. 165.
[19] http://www.cscap.org/index.php?page=cscap-charter

CSCAP is an institution and also norm in regional security approach. It is an institution because it consist a stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations. It is an institution by virtue of becoming the locus of socialisation and reinforces states practices. By being a socialisation agent, CSCAP becomes the dominant mechanisms through which states are taught and persuaded to adhere to norms. Its roles and functions as an institution will be elaborated further. CSCAP is a regulative norm to the wider framework of the ARF by regulating the behaviour of participants in managing regional security.

This section argues that CSCAP approach to regional security is by providing a platform for socialisation through a stable collection of practices called working groups centred on the theme of preventive diplomacy. As Simon pointed out, "CSCAP serve to build a limited consensual security identity even if security agreements are confined to relatively low-level (non-threatening) undertakings such as sharing information on military doctrines. It then builds comfort and trust among participants through reassurance, multilateralism, and a preference for non-military solutions. However, it does not replace national power and armed forces. Rather, its goal is to reduce the probability that armed forces will be used to resolve conflicts. It explores alternative ways of building confidence and resolving differences before they became full blown conflicts".[20]

CSCAP clearly emulates ASEAN norm of *musyawarah* and *muafakat* in regulating participant's actions. As Simon explains, "Rather than insisting on unanimity – which in effect is a single member veto – CSCAP employs consensus rule. As long as all participants are comfortable with a position – even if they register reservations – CSCAP endorsement can proceed. The understanding is that dissenting members will permit policy recommendations to be made but are not expected to comply with those portions to which they take exception".[21] This is a very important norm; first, it shows the unique approach of ASEAN, deviating from the Western practices for example in the

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[20] S. Simon, Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience, *The Pacific Review*, 2002, Vol. 15, No. 2, pp. 171-172.
[21] Ibid, p. 180.

UN Security Council; second, it prevents monopolisation of decision or unilateral approach by any states or powers; third, states are not forced to implement policies but are aware of its ideas.

Norms and Practices in CSCAP

In regulating the conduct of participants towards managing regional security, CSCAP introduces norms that are known as working groups. These working groups meet at least once a year and have been given the tasks of undertaking policy oriented studies on specific regional security issues.[22] These working groups, in essence are also institutions promoting socialisation.

- **Confidence and Security Building Measures Working Group (CSBM WG)**. CBSM WG is the most active of the CSCAP working groups. CSBM main focused is to develop a roadmap that will allow the ARF to advance to its second stage of managing peace and stability, preventive diplomacy. CSBM executed this function based on a set of consensual principles:

  - CSBMs cannot work in the absence of a desire to cooperate.

  - CSBMs must be viewed in 'win–win' not 'win–lose' terms;

  - CSBMs are most effective if they build upon regional/global norms;

  - foreign models do not necessarily apply;

  - CSBMs are stepping stones or building blocks, not institutions;

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[22] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 174.

☐ CSBMs should have realistic, pragmatic, clearly defined objectives;

☐ gradual, methodical, incremental approaches work best;

☐ unilateral and bilateral approaches can serve as useful models;

☐ the process may be as (or more) important than the product;

☐ and, with respect to Asia-Pacific CSBMs in particular:

   ☐ the Asia-Pacific is not itself a homogenous region;

   ☐ there is a preference for informal structures;

   ☐ consensus building is a key prerequisite;

   ☐ there is a general distrust of outside 'solutions';

   ☐ and there is a genuine commitment to the principle of non-interference in one another's internal affairs.

The working principles of CBSM WG clearly mirrored ASEAN approach towards regional security as stipulated in the ASEAN Charter. This can be explained by Cossa's observation quoted by Caballero-Anthony, "(CBSM should) start small; take a gradual, incremental, building block approach; recognize that European models are generally not transferable to Asia and that sub-regional differences exists within the Asia-Pacific; apply individual measures only where they fit; do not over formalize the process, in other words, proceed slowly and carefully, but definitely proceed".[23]

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[23] R. Cossa, CSCAP and Preventive Diplomacy: Helping to define the ARF's Future Role, Remarks given at the Opening Session of the ARF Track II Conference on Preventive Diplomacy, 9-11 September 1997, Singapore, quoted in Caballero-Anthony, 2005. P. 175.

- **Comprehensive and Cooperative Security Working Group (CCS WG)**. The working concept of CCS WG is articulated in CSCAP Memoranda No. 3, among others stated, "Comprehensive security is the pursuit of sustainable security in all fields, political, economic, social, cultural, military and environmental in both the domestic and external spheres, essentially through cooperative means.

The distinctive feature of this concept is further emphasise by the following principles:

- Principle of comprehensiveness;

- Principle of mutual interdependence;

- Principle of cooperative peace and shared security;

- Principle of self reliance;

- Principle of inclusiveness;

- Principle of peaceful engagement;

- Principle of good citizenship.

Though scholar like Simon deems CCS WG as controversial since it involves the internal affairs of member states[24], this study takes a different view. As highlighted earlier, the role of Track Two diplomacy is to provide an alternative platform to circum navigate non-interference policy, as it is not the formal voice of member states. Furthermore, this track two approach does not emphasise on military action or cooperation but rather, it emphasise on

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[24] S. Simon, Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience, p. 182.

institutions and processes which are structured to address and manage security in comprehensive terms at the national, sub-regional and regional levels.[25] With this approach concern states, like Myanmar, may slowly come to its senses in changing its policy to accommodate regional security concerns.

☐ **Maritime Cooperation Working Group (MC WG)**. This study argues that MC WG is not highly concern with the complete resolution of any maritime conflicts among participants but rather on regulating actions on how to manage the conducts of maritime activities and actions. As Bateman and Bates succinctly put it, "The Maritime Cooperation Working Group seeks consensus on good ocean management, law and order at sea, resource exploitation, coping with maritime crime and instruments for dispute settlement".[26]

By this, MC WG takes great effort to include among others the following issues in managing regional security:

☐ The destabilizing consequences of conflict maritime territorial claims in the Asia-Pacific region and the importance of mechanisms to manage disputes;

☐ The establishment of resource management regimes, which may be easier than the resolution of sovereignty;

☐ The competing jurisdictional problems in the Asia-Pacific region, which could confound the management of piracy, drug trafficking, marine pollution, as well as refugees.[27]

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[25] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, pp. 177-178.

[26] S. Simon, Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience, pp. 179-180.

[27] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 180.

The concern with maritime issues affecting regional security is further highlighted in the form of MC WG working principles as stipulated in the CSCAP Memoranda No. 4. A statement in the Memoranda concludes that, "rival maritime claims in the Asia-Pacific are destabilising and that there is an inherent conflict between the suspicions of defence officials who see transparency as compromising security and those who are concerned with resource development, commercial shipping and the environment. A significant contribution of the MC WG therefore, is the effort to reconcile these differences and come up with practical innovative proposals on issues which may have been set aside by formal approach (the ARF).[28]

☐ **North Pacific Working Group (NP WG)**. The main focus of this working group is centred on the Korean Peninsula security. The first breakthrough of MC WG in managing regional security in the sub-region was getting concerns parties to congregate in the group meeting in Canada in 1997 using the concept dubbed the full house. Generally, the concept goes beyond the traditional numbers of participants involved by involving relevant participants based on the topics discussed. The participants then were North Korea, South Korea, China, Taiwan, Japan, Russia, Canada, the US and EU.

The success of this approach was further highlighted by the Chairman in the particular MC WG report quoted by Caballero-Anthony:

"The fact that this meeting is the first full house meeting in Northeast Asia and North Pacific, the relevance and importance of multilateral dialogue in the region is reconfirmed and the effectiveness of the basic principles of CSCAP – habits of dialogue, informality, inclusiveness, incrementally and so forth – is reaffirmed. It is argued that informal multilateral dialogue can be characterized as shadow diplomacy as opposed to daylight

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[28] S. Simon, Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience, p. 181.

diplomacy and thus can function as a means to forge close networks among the participating nations upon which diplomacy will be conducted"[29]

In this context, this study argues that socialisation within ASEAN norms; even at the unofficial level is a significant approach in managing regional security. Though conflict in the sub-region still persists, continuous diplomatic efforts such as track two managed to avoid war so far. A harder approach such as escalation of security dilemma through incremental balance of power could quicken the conduct of war. In this, it might not be exaggerative to mention that the reduction of United States forces may have been due to this effort. As noted by Capie, "These initiatives, governmental and non-governmental, shared a common, ambitious, goal of creating an Asia-Pacific community. They sought to create habits of dialogue to overcome security dilemmas and misperceptions and to forge closer political, economic and social ties between states on both sides of the Pacific".[30]

 Transnational Crime Working Group (TC WG). The main objectives of TC WG are as follows:

 To gain better understanding of and reach agreement on the major on the major transnational crime trends affecting the region as a whole;

 To consider practical measures which might be adopted to combat transnational crime in the region;

 To encourage and assist those countries which have recently become about the problem of transnational crime in the region;

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[29] M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 182.
[30] D. Capie, Rival Regions? East Asian Regionalism and Its Challenge to the Asia-Pacific at www.apcss.org/.../RegionalFinal%20chapters/Chapter10Capie.pdf

☐ To develop laws to assist in regional and international cooperation to counter drug trafficking, money laundering, mutual assistance, extradition and the like.[31]

This study argues that the TC WG is important in providing a platform for participants to address transnational security issues affecting the region by identifying the list of security issues. This includes among others arm trafficking, illegal drug, counterfeiting, corporate crime, smuggling of nuclear materials, illegal migrants, money laundering and cyber crimes.[32] More importantly, dialogues conducted throughout the years had yielded new initiatives and cooperation, albeit some bilaterally and sub-regionally, as evidence in the formation of Malacca Strait Coordinated Patrol (MSCP) and Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT).

CSCAP Effectiveness

Scholars like Simon and also Luck says that track two diplomacy effectiveness, such as CSCAP, is measured through its capability to fulfil the following criteria:

☐ Produce some new concepts and proposals;

☐ Gain the attention of decision-makers in member governments – for our purposes, that CSCAP studies gain the attention of ARF government representatives;

☐ Spark interest in an international attentive public through media treatment, thus kindling some public debate;

☐ Demonstrate enough shelf-life that some of the principal concepts and proposals remain part of the international dialogue over several years.

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[31]M. Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way*, p. 183.
[32] Ibid.

Putting CSCAP efforts against these criteria, this study argues that track two approach is successful; first in getting participants to congregate and later influenced decision maker through numerous reports and memoranda. As Simon pointed out, "CSCAP have produced a number of thorough and well balanced policy studies on Asian security ranging from nuclear power and conventional arms; through ways of dealing with transnational crime, piracy, drug trafficking and illegal population movements; to an array of confidence building measures and ways of achieving preventive diplomacy in the Asia-Pacific. A number of it has certainly been pursued by government and the ARF".[33] Second, and more importantly, the actions taken by CSCAP had so far manage to mitigate the escalation of conflicts in ensuring a peace and stable region.

TRACK THREE CONTRIBUTIONS TOWARDS REGIONAL SECURITY

Track three approach fits with the context of the study by virtue it being an institution for participants to socialise within ASEAN regulative norms of diplomacy and inclusivity. This section also argues that track three influence regional securities by pressuring governments to recognise non-traditional security concerns such as societal and environmental. Some scholars may call it people's power due to the capability of people's solidarity to influence government decision for the sake of government political survival. The whole idea is to ensure government adopts certain policy and slowly embraced it, if there was an initial hesitation by the government.

This section further argues that due to its diluted connections with states, track three is a viable approach of addressing societal security and at the same time for states to respect member's sovereignty and conforming to ASEAN non-interference policy. This was highlighted by Keck and Sikkink, "track three networks principally seek to promote social change. More than the question of their indirect approach to influencing policy, it is in this context of advocating systemic change that this network developed independently of track one and two. Track three emerges when domestic channels for making issues of concern to certain communities known to government are inaccessible.

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[33] S. Simon, Evaluating Track II Approaches to Security Diplomacy in the Asia-Pacific: The CSCAP Experience, p. 183.

Under this kind of condition, participants make use of networking activities through different international to get around the issue of domestic inaccessibility".[34]

The viability and importance of track three approach is further highlighted by the limitations of the track two in providing a critical fora for important issues in the region, especially in economic, political and security affairs.[35] Though, track two in Southeast Asia is considered as an unofficial diplomatic approach, it does to some extent relies on states financial and political supports to operate and such support can be easily withdrawn once the activities lose their importance or non-conforming to states policies.[36]

ASEAN People's Assembly

The most significant track three approaches in ASEAN is the ASEAN People's Assembly (APA). APA was launched in 2000 through the initiatives of ASEAN–ISIS. The idea behind APA is the creation of a forum for debate, exchange of ideas, and generation of people-oriented policies on issues and problems facing the region among the various stakeholders and sectors. It also aims to foster dialogue and confidence building among policymakers, academe, think tanks and civil society groups in Southeast Asia on a range of traditional and non-traditional security issues, including human rights, human development and democracy. Since its formation, APA had convened four times.[37]

The convening of APA is based on the rationale that community building in ASEAN must include all sectors of society. ASEAN must be made relevant to the ordinary citizens of each of the member states—as it has become relevant to many members of the elite communities—if a genuine Southeast Asian Community is to be built. Such a community requires wider and deeper understanding about ASEAN among

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[34] M.E. Keck & K. Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics*, Cornell University Press, London, 1998, p. 12.

[35] H.J.S. Kraft, The Autonomy Dilemma of Track Two Diplomacy in Southeast Asia, Security Dialogue, September 2000, Vol. 31, No. 3, pp. 346-347.

[36] Ibid, p.344.

[37] M. Caballero-Anthony, ASEAN-ISIS and the ASEAN People's Assembly in H. Soesastro, C. Joewono & C.G. Hernandez (eds) *Twenty-Two Years of ASEAN-ISIS*. CSIS, Jakarta, 2006, pp. 64-67.

the citizens of the ten member states. Since its conceptualisation, APA has responded to official views about the Southeast Asian Community as expressed in various ASEAN documents. A more concrete rationale for this community was expressed in the ASEAN Vision 2020 that seeks to build a community of caring societies, the component elements of which concern every citizen of ASEAN and target the unsatisfactory socio-economic conditions affecting its population at the grassroots level.[38]

This study argues that the socialisation effect of APA influenced government policy, for example Malaysia forming up a human rights commission called SUHAKAM and the recent adoption of ASEAN Human Right Commission in the ASEAN Summit in Thailand.

Trade as Track Three Approach

This section argues that part of the multi track diplomacy involves trade, business and economic organisations. Trade, business opportunities and investment promises development hence mitigate security concerns. With security, further developments and prosperity will be made possible. In short, socialisation through trade reduces conflicts.

Weissmann enhances this proposition by saying, "economic integration and interdependence also have a peace building potential to promote conditions conducive to peace over time, both by themselves and through spill over effects. The economic sphere can be seen here as an engine that intensifies the other non-economic regionalisation processes, and with regionalisation comes an increased intensity level of social and cultural exchange and interaction. Economic integration also enhances the magnitude and density of people-to-people contacts and thereby also the number and intensity of informal networks. Economic integration increases the number of track two dialogues and also works as a training ground for cooperation. The reason for this is that it is easier to cooperate in the economic sector as the issues are both less sensitive and measurable in monetary terms. By interaction in the economic sphere, trust and understanding will be built, which can then be transferred to other more sensitive areas. In other words,

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[38] Ibid.

economic integration and interdependence can be expected to have some degree of preventive effect on the likelihood for conflicts to escalate into inter-state violence.[39]

Weissmann makes the deductions derives from empirical research conducted by Barbeiri who indicated that "the greatest hope for peace appears to arise from symmetrical trading relationships".[40] This is akin with the open regionalism practice in ASEAN and the long term benefits pursued by member states, rather than short term or asymmetrical benefits professed by liberals and realist.

The relevance of track three approach in influencing regional security is further supported by Hu, "Regionalism in Asia Pacific is largely advanced by two driving forces. At the transitional level, the major driver for regional integration and community building is market force and non-state actors. East Asia is full of economic dynamism and enjoys one of the highest growth rates in the world. This dynamism is a major driver for regional integration. Despite political impediments to regional cooperation, market forces, regional and sub-regional, were able to create a complex transnational web of linkages across political boundaries among regional states. The rising intra-regional trade, investment, production networks, banking and financial links, technology transfer, communication, cultural and personnel exchanges have all helped to increase regional cohesiveness, connectedness, and interdependence in East Asia. The non-state actors, including multinational corporations, NGOs, private citizens engaged in track two activities, cross-border media as well as individual workers, students, rock bands, athletic teams, and dance troupes, are the key spinners of East Asia's web of cooperation (and occasionally conflict). Given the fact that the region is still highly diverse and governments remain suspicious of each other, more conscious community building efforts by transnational and problem-oriented bodies are very essential to foster a deeper

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[39] M. Weissmann, Peacebuilding in East Asia: The Role of Track Two Diplomacy, Informal Networks and Economic, Social and Cultural Regionalisation in Bercovitch, Huang & Teng (eds) *Conflict Management, Security and Intervention in East Asia*, Routledge, New York, 2008, p. 77.

[40] K. Barbieri, Economic Interdependence: A Path to Peace or a Source of Interstate Conflict? *Journal of Peace Research,* Vol. 33, No. 1, 1996, p. 42.

mixture of regional identity and region-wide networks of cooperation. This is something the inter-governmental actions may not achieve.[41]

CONCLUSION

Emphasising on the theoretical framework of socialisation within norms in explaining the ASEAN's regional security approach, this study had so far discussed and presented arguments in support of ASEAN's unofficial regional security approach. Track two and track three had performed as a socialising function where personal relationships between participants and actors flourish. More significantly, track two meetings allows for socialisation of the idea of regional cooperation through dialogue. Through networking and building personal relations, cooperative habits are learned and help promote international cooperation. Consequently, adversaries have the opportunity to meet face-to-face and get to know each other. Multi track diplomacy thus serves as a trust building mechanism. Multi track diplomacy is in many ways a function of social psychology, in terms of human relationships and changes in perception of each other. As Kraft points out, "This is of great importance in a region where personal bonds underlie positive relations between governments as well as provide the basis for intellectual and policy exchanges".[42]

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[41] Richard Wei Xing Hu, *Building Asia Pacific Regional Architecture: The Challenge of Hybrid Regionalism*, The Brookings Institution, New York, 2009, p. 4-5 at www.brookings.edu/papers/2009/07_asia_pacific_hu.aspx

[42] H.J.S. Kraft, The Autonomy Dilemma of Track Two Diplomacy in Southeast Asia, p. 346.

CHAPTER V

CONCLUSION

This study embarks on an argument that ASEAN's success in managing regional security is not fortuitous but was rather guided by a well crafted strategy brilliantly formulated by its founding fathers. A well created strategy that can be theoretically explained by the social construction theory of constructivism. Hence, denouncing any relations to the predominant theory of realism.

In qualifying the above argument, this study adopts the theory verification framework, providing empirical data in Chapter Two to Chapter Four to support the concept presented in Chapter One. This paper theorise that ASEAN adopts the strategy formulation model of Ends, Means and Ways, which is consistence with the constructivism social construction process of identity, norms and socialisation. Chapter One conceptually explained the social construction process of socialisation. It explains the role of institutions and norms in achieving an identity in ASEAN, that is the We-feeling or solidarity in working together to maintain peace. The action and behaviour of ASEAN members was analysed in Chapter Two, Three and Four in support of constructivism. In forming ASEAN and the ARF, members and participants provide the platform for socialisation. Within both institutions, numerous institutionalised practices, such as summits, forums, dialogues and conferences, were established to further promote socialisation. This proves that institutions are agents of socialisation.

However, institutions alone without guiding principles would not benefit socialisation, as evidenced by the demise of ASEAN's predecessors such as SEATO, MALPHINDO and ASA. ASEAN's documents such as the Bangkok Declaration, the TAC and the ASEAN Charter are empirical data supporting the establishment of norms (constitutive) in ASEAN to prescribe the code of conduct for its members while socialising. The study also identified that the norms stipulated in ASEAN's official documents are constitutive norms, which is to provide the framework for maintaining

regional security. Norms such as sovereignty, non-interference and peaceful settlement provide assurance that autonomy prevails and no member states will be intimidated or subdued by external forces, any disagreement will be settled amicably and in a peaceful manner. In ensuring that members and participants conform to the constitutive norms, ASEAN introduces regulative norms such as the numerous institutionalised practices, inclusivity and ASEAN's diplomacy process of *musyawarah* and *muafakat* or consultation and consensus.

This study also identified that these regulative norms together with strict adherence to the norm of non-interference together constitute the ASEAN strategy of ways and means. These concepts are unique to ASEAN; contrary to what critics have pointed out that ASEAN had consistently broken the norms of non-interference, members only get involved in other states affairs when invited. The case in Timor Leste is empirical evidence. ASEAN members only participated at the invitation of Indonesia. In the case of Vietnam and Cambodia, both nations are non-members when intervention occurred. ASEAN and the ARF advocate for inclusivity in managing regional security because exclusivity only makes peripheral states feel vulnerable and threatened resulting in constant animosity in the region. No other regional organisations are as inclusive as ASEAN and the ARF.

The deduction here is that socialisation breed's familiarity and familiarity leads to amity. Socialisations and interactions alienate the contributing factors towards insecurity such as fear, mistrust, uncertainty, violence, aggression and war. The study has shown that the higher the level of socialisation among actors the higher will be the level of cooperation leading to a higher level of security and amity. The absence of war is the proof. In summary, theoretically, ASEAN's strategy in managing regional security is socialisation within stipulated norms in settling disputes peacefully and amicably.

KEY CONCEPTS OF ASEAN'S SECURITY APPROACH

In addressing the research question of what are the key concepts in ASEAN's regional security approach, this study identified that norms, socialisations and institutions are the key concepts in towards ASEAN strategy in managing regional security. ASEAN, as an

institution, is the socialising agent in handling regional order within its members and the ARF, as an institution, acts as the socialising agent in maintaining order in ASEAN and also in the wider region of the Asia-Pacific.

OPERATIONALISING THE CONCEPTS

This study found that socialisation within norms promotes confidence building and preventive diplomacy in managing regional security. ASEAN's approach in managing regional security emphasises the process of confidence building and preventive diplomacy within and via ASEAN norms rather than resolving conflicts. It is good if conflicts can be resolved after consultation but if conflicts cannot be resolved, disputing parties are free to use international organisations such as ICJ to resolve conflicts. After all, regional organisations such as ASEAN and the ARF reflect the extension of, and the decentralisation of the UN's effort in managing world security.

This study also found that time is not an essence in ASEAN and the ARF, after all regional security is not time based but for eternity. The institutionalised practices and ASEAN's diplomacy are empirical data supporting this argument. Until members are ready, comfortable with each other and enjoy a certain level of trust, this slow, incremental, low risk and flexible process is effective in managing regional security. Until a resolution is achieved, issues and disputes will be dialogued and discussed to avoid escalation. Resolutions are consensus-based and not hegemonic driven. The idea is to reach agreement via consultation and consensus respectively. Should there be obstacles in the way that may prevent cooperation in a particular issue, members should be willing to move the issues aside and proceed with consultation in another area. By holding members to the norms, ASEAN and the ARF seek to contain problems and, over time, build a regional consciousness, if not regional identity. Consensus ensures not only that the institution does not move far ahead of the interests of the most sceptical state but also that the most sceptical state cannot veto resolutions. Consensus decision making is a logical mechanism to reassure regional players that the institutions will not violate sovereignty or national unity. In other regional organisations and even in the UN, consensus can be vetoed and sovereignty can be compromised.

Another means of operationalising these concepts is through the un-official approach of Track Two and Track Three diplomacy. In this context Track diplomacy are both norms and institutions. It is an institution because it acts as an agent of socialisation. It is a norm because Track diplomacy generates ideas. Track Two and Track Three institutions such as ASEAN-ISIS, the APR, the CSCAP and the APA bring together scholars, NGO's, corporate sectors and government officials to discuss issues that cannot be discussed at the official or Track One level.

THE ASEAN WAY

ASEAN's constitutive norms such as those laid down in the TAC are considered as universal norms. Sovereignty, non-use of force, non-interference and pacific settlement are being promoted worldwide. However, how these norms are being utilised in ASEAN make it distinct from other regional organisations. Strict adherence to these norms coupled with the regulative norms of institutionalised practices, inclusivity, *musyawarah* and *muafakat* constitute the ASEAN Way. It is the ASEAN Way because it differs from other regional approaches. How does it differ? For example, emphasis on the norms of sovereignty and non-interference send reassurance signals to reassure regional players that regional institutions within ASEAN will not undermine player's basic interests, that it will not be used by greater players to exploit or intimidate lesser players. As Busse rightly points out, "non-interference norms help reinforce the domestic autonomy of national governments by reassuring member states that they will not be publicly pressed to undertake actions that run counter to domestic interests".[1]

The ASEAN Way is centred on respecting sovereignty by not interfering, and promoting dispute settlement without resort to force, using lengthy processes in managing conflicts through *musyawarah* and *muafakat,* stressing inclusivity rather and exclusivity, adopting or creating institutions to address new issues and socialising through all available means including the non-official approach of Track Two and Track Three diplomacy.

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[1] N. Busse, Constructivism and Southeast Asian Security, p. 47.

SOCIALISATION IS TRANSFORMATIONAL

Apart from proving how socialisation within norms helps manage regional security, this study also proves that socialisation is progressive and transformational. Socialisation is transformational because it generates ideas[2] on how to manage regional security in a changing security environment. In this context, ideas develop into the formulation of new norms and institutions to address new security challenges. The establishment of new institutions under ASEAN and new norms as mentioned in the ASEAN Charter are empirical evidence of socialisation being transformational. The ARF was established to address security issues in the wider regional framework. ASEAN-ISIS, CSCAP, APR are institutions that have been developed to address issues clouded with official restrictions. Other regional frameworks such as AFTA, EAS and APT were established to provide more platforms for socialisation, all with the goal of managing regional security.

WITHER THE ASEAN STRATEGY?

Though critics and challenges of ASEAN strategy are plenty, it would not wither away. Controversy surrounding the norms of non use of force and non-interference will linger on for years to come but ASEAN's interpretations of norms as ideas allows for it to create norms and institutions to safely navigate around such controversies. The non-official approach of Track Two and Track Three diplomacy indicates the role of ideas in ASEAN. These approaches tend to confirm that the ASEAN strategy of non use of force, non-interference, consultations and consensus will remain attractive and relevant. The ASEAN strategy will not wither away due to its promises of amicable approach and its assurance of member's autonomy. After all, as highlighted in the study, strict adherence to the ASEAN Way had prevented war from breaking out in the region. The formation of the ARF based on ASEAN norms and the willingness of major powers to participate in the forum and acceding to the TAC are empirical evidence that this ASEAN strategy is viable in managing regional security.

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[2] A.I. Johnston, Socialisation in International Relations: The ASEAN Way and International Relations Theory, in G.J. Ikenberry & M. Matsunado, (eds) International Relations Theory and the Asia-Pacific, Columbia University Press, New York, 2003, p. 115.

In conclusion, the study has proved the assumption that ASEAN's strategy in managing regional security can best be explained using the social construction theory of constructivism, specifically socialisation within norms towards an identity or interest. The behaviour and action taken by ASEAN are congruent with constructivist socialisation theory by constructing norms and institutions, as concepts of socialisation generated endogenously rather than exogenously. Furthermore, ASEAN interpreted norms as ideas rather than power or material. For constructivists, ideas are not just rules for action; rather ideas operate to shape actors and action in world politics.[3] This means that ideas not only constrain actors but also constitute actor's action.

More importantly, ideas enhance and transform socialisation in managing regional security. As stressed by Wendt, "States that interact constantly among each other will develop over time a more inclusive sense of identity and collective interest. But, (more importantly) they may also come to alter their interest and identities to and with one another over time and through institutional interactions".[4] Socialisation generates ideas for more socialisation and socialisation through the ASEAN strategy has proved its viability in maintaining peace and stability. Ideas develop and progress constantly in accommodating regional milieu and as long as ASEAN interpreted norms as ideas, and adopted best practices under the "ASEAN Way", i.e. a constructivist approach rather than a traditionalist approach.

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[3] Wendt, *Social Theory of International Politics*, p. 92.
[4] A. Wendt, Collective Identity Formation and the International State, p. 386.

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