ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia

Under the theme "Cohesive and Responsive ASEAN," Vietnam's Prime Minister and ASEAN's Chair Nguyen Xuan Phuc convened the 36th ASEAN (Association of Southeast Asian Nations) Summit via teleconference, the first in ASEAN's more than half-a-century of existence, on the 26th of June 2020 in the light of the ongoing COVID-19 pandemic. As the Summit focuses in producing a comprehensive post-pandemic recovery plan for ASEAN and strengthening cooperation on public health emergencies, it is likewise tasked to review the implementation of the three (3) Blueprints under the ASEAN Community Vision 2025 , namely: the ASEAN Political-Security Community (APSC), ASEAN Economic Community (AEC) and ASEAN Socio-Cultural Community (ASCC).

Auxiliary to the Summit, Vietnam's Deputy Prime Minister and Foreign Minister Pham Binh Minh chaired and presided over the 21st APSC meeting on 24 June 2020 in Hanoi participated virtually by 10 Foreign Ministers/Secretaries of ASEAN Member States (AMS), viz: Indonesia, Malaysia, the Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Myanmar, and Cambodia. Notably, the APSC, AEC, and ASCC correspond to ASEAN's pillars conceived to support the shaping of the ASEAN Community.

As the 36th ASEAN Summit concludes, the recurring question how unified and reactive ASEAN is as a regional organization in responding to regional and international issues remains to be ascertained especially on political and security concerns in the region as defined by the APSC, adopted in 2009 at the 14th ASEAN Summit in Thailand.

The article is an attempt to examine the strengths, hopes, and prospects as well as the weaknesses and constraints of ASEAN as a security community envisioned in the APSC Blueprint. It explores the efficacy of the ASEAN Way as a security framework in confronting a host of new challenges in the region. Fundamentally, it argues that ASEAN's sense of unity , cohesiveness and responsiveness in taking action on the critical issues of the region are hobbled by the very principle in which ASEAN has defined its inter-state and regional cooperation – the ASEAN Way.

It further argues that comprehensive security, as expressed in its APSC Blueprint, is not strategic enough to transcend ASEAN member states' peculiarities and sustain a security community that meets regional and global challenges. Hence, the quest of ASEAN to act as one regional organization in the face of regional and international trials continues to be elusive. Towards the end, it suggests a re-thinking of the 'ASEAN Way' and the APSC in order to enlarge the capacity of ASEAN to secure peace in the region, empowering it to an appropriate and timely response to regional concerns. As a consequence, this may advance the political stability of Southeast Asia.

The ASEAN Way and the APSC

The effectiveness of ASEAN as a regional security institution has been subject to continuing debate among policy makers, academics and practitioners. The contestation on its significance has been heightened in the face of the emerging regional rivalry between the Peoples' Republic of China (PRC) and the United States (US) over the South China Sea (SCS). Apart from this rivalry between big powers, sovereign and maritime rights disputes have yet to be settled between the PRC and other ASEAN states, i.e., Indonesia, Malaysia, the Philippines, and Vietnam. Taiwan has territorial claims too in the SCS that conflicts with PRC and the four other AMS. This is aside from disputes over

ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia
Written by Rizal Buendia

maritime boundaries and islands between and among AMS. Mistrust and suspicion among regional and extra-regional states have thus fuelled territorial disputes.

While some argue that ASEAN and its regional institutions are simply "talk shops", hence structurally ineffective in resolving inter-state conflict (Jones and Smith 2007, Bisley and Cook 2014, Nishihara 2016), others view ASEAN's founding norm and value of non-interference into the affairs of another country in the region, known as the ASEAN Way, as the key salutary factor that contributes to the amiable relation between and among states in Southeast Asia (SEA) (Severino 2005).

The ASEAN Way

The norm and value of non-interference into the affairs of another country in the region, known as the *ASEAN Way*, is one of the fundamental and binding principles of ASEAN that underpins the concept of comprehensive security and the APSC Blueprint. It is a concept of inter-state relation and regional cooperation that consists of avoidance of formal mechanisms and legalistic procedures for decision-making, and reliance on *musyawarah* (consultation) and *mufakat* (consensus) to achieve collective goals (Acharya 1997). This is the general mode by which AMS conducts their work. It requires a great deal of tolerance and patience among the member states. Consequently, the decision-making process in the ASEAN is lengthy and protracted

Where decisions are made on the basis of unanimity, decision-making in ASEAN takes a long time with no fixed time-table, and negotiations are undertaken until all parties have reached an agreement (Mak 1995). There is minimal use of institutions and mechanism in the legal sense to instill regional cooperation and resolve trans-boundary issues and problems. They further argue that the ASEAN Way standardizes behaviour of states through the doctrine of non-use of force or threat of force in dealing with disputes, and respects sovereignty and territorial integrity of nations (Acharya 2004; Katsumata 2011). The ASEAN Way is claimed to have been responsible for thwarting inter-state armed conflict for nearly half-a-century.

The APSC

Motivated by the desire to assert ASEAN's centrality in regional security and reinforce Southeast Asia's autonomy in relations with external powers, particularly China and the United States, the APSC provides the regional framework for AMS to handle security matters and disputes more effectively, and raises security cooperation to a 'higher plane' (ASEAN 2009, p. 1). It relies 'exclusively on peaceful processes in the settlement of intra-regional differences' and regard security of each AMS as 'fundamentally linked to one another and bound by geographic location, common vision and objectives' (Declaration of ASEAN Concord II [Bali Concord II] – ASEAN, 2020).

The APSC Blueprint stipulates its adherence to the 2007 ASEAN Charter which provides among others the defense and protection of democracy, the rule of law and good governance, and respect, promotion and protection of rights and basic freedoms. Regarded as 'people-oriented,' the APSC is deemed to promote 'gender-mainstreaming, tolerance, and respect for diversity, equality and mutual understanding' (ASEAN 2009, p. 2).

It subscribes to a 'comprehensive approach to security' which affirms the interlocking relationship of political, economic, socio-cultural, and environmental dimensions of development. It is not limited to traditional inter-state discords but includes non-traditional distresses, such as corruption, development gap, intolerance, infectious diseases, natural disasters, irregular migration, food shortages, human and drug trafficking, terrorism, and other forms of transnational organized crimes. In as much as these security challenges transpire across territorial boundaries of AMS, they cannot be resolved simply by state policies alone but require a regional approach.

Likewise, it 'upholds existing ASEAN political instruments such as the Declaration on Zone of Peace, Freedom and Neutrality (ZOPFAN), the Treaty of Amity and Co-operation in South East Asia (TAC) and the Treaty on the Southeast Asian Nuclear Weapon-Free Zone (SEANWFZ)' (ASEAN 2009, p. 2). This includes the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC) and the prospective Code of Conduct in the South China Sea (COC) which endorse peaceful settlement of disputes and practical maritime cooperation in the South China

ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia
Written by Rizal Buendia

Sea. The ASEAN Regional Forum (ARF) remains an important mechanism that advances security cooperation in the wider Asia-Pacific region especially on a wide array of existing and emerging non-traditional security threats.

Fundamentally, the Blueprint is characterized by the following: 'rules-based community of shared values and norms; cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security; and dynamic and outward-looking region in an increasingly integrated and interdependent world' (ASEAN 2009, p. 2). These characteristics are seen not only as interconnected and interdepended but also mutually reinforcing, which are to be pursued in a balanced and consistent manner.

As an action-oriented document and a roadmap to regional political development and security, carrying out the goals and objectives of the Blueprint into a reality is contingent on the capacity and capability of AMS, which are enjoined to integrate the APSC plans into their respective national development strategies, including the allotment of necessary resources. In addition to AMS's resources, the Blueprint's operational expenses are to be drawn from 'various facilities including the ASEAN Development Fund (ADF), Dialogue Partners, donor countries, international agencies, the private sector, and non-governmental organisations' (ASEAN 2009, p. 16).

Ensuring that the overall implementation of the Blueprint is in order, the APSC Council has been created and mandated to coordinate regional efforts towards accomplishing pre-determined tasks and targets in accordance with the Blueprint's timetable. The Council furthermore is supported by the Coordinating Conference for the ASEAN Political-Security Community Plan of Action (ASCCO) which serves as a platform for harmonizing the 'efforts of various sectoral bodies through exchanges of information, best practices, and lessons learned in the implementation of the APSC Blueprint' (ASEAN 2009, p. 15).

Finally, an appraisal mechanism has been set up to review the performance of the APSC in terms of its tasks and action plans. Evaluation and assessment of the Blueprint's accomplishment are conducted by the ASCCO, in co-ordination with the ASEAN Secretariat, on a biennial basis. The full implementation of the APSC Blueprint is thus expected to promote peace, stability and prosperity in the region as well as protect the interests and welfare of the peoples of ASEAN.

How did it fare?

In its conclusion in 2015, the APSC Blueprint was assessed by ASEAN to have deepened and expanded 'ASEAN political and security cooperation' and strengthened 'ASEAN capacity in responding to regional and international challenges' (ASEAN 2016, para 2, p 1). Building on the said 'achievements' the Blueprint was further extended to 2025 'to elevate ASEAN political and security cooperation to an even higher level…(and) to ensure that the APSC Blueprint 2025 is relevant, contemporary and responsive to the challenges of the times' (ASEAN 2016, para 2, p. 1).

The 'achievements' of the APSC Blueprint were however contested by some. In a scorecard developed by ASEAN to gauge the performance of the three (3) pillars of the ASEAN Community, the APSC received the lowest score as reported by P. Chachavalpongpun (2015). APSC scored 12 percent while AEC and ASCC got 92 percent and 82 percent respectively. Apparently, the APSC faces more challenges in the community-building process compared to the other two communities. 'There is still a long way to go before we get to an ASEAN Political-Security Community,' said Mr. Ong Keng Yong, executive deputy chairman of Singapore's S Rajaratnam School of International Studies (RSIS) and former ASEAN Secretary-General (2003-2007) in an interview with *Today* in 2015 (Wai 2015). While Baviera (2017) views APSC fell short of its action plans, notably, in the 'promotion of human rights and cooperation for good governance' (p. 17).

Security Community: Promises and Constraints of APSC

Security community, as coined by Karl Deutsch and his collaborators in 1957, refers to a group of people bound by a sense of community believing that common social problems must and can be resolved through institutional procedures and processes of 'peaceful change,' without resorting to physical force (Deutsch et.al. 1957).

ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia
Written by Rizal Buendia

Constructivist scholars redefined Deutsch et. al.'s concept of security community at the end of the Cold War to a community of people having shared identities, norms, values, and reciprocal long-term interest (Adler and Barnett 1998). Acharya (2006) contends that regional organizations have the capability to set collective norms of nations and influence the behaviour of its member states like ASEAN. Acharya promotes the notion that shared identity is key to building a community.

In a globalized world, 'community' is regarded not simply limited to national and international communities but includes virtual communities that cross and transcend physical borders. Carving a 'community' with a sense of oneness and unity out of a plural and diverse region such as SEA is indeed overwhelming and exigent. The rich diversity of the region provides both opportunities and challenges not only in safeguarding economic growth and development but also in advancing political stability and security among AMS.

The long history of migration in SEA from within and other regions, the ecological, cultural, and social differences between lowland and upland peoples, and the presence of linguistic and religious pluralism have created multi-ethnic societies in every country in the region.

Insofar as community-building is an on-going process, the APSC Blueprint 2025 is basically a continuation of the previous Blueprint (APSC 2015) – building on the achievements and rectifying the missteps or filling-in the inadequacies of the preceding Blueprint's defined goals and objectives. APSC Blueprint 2025 avows to implement 'relevant programmes and activities' having 'enduring significance' contained in the APSC Blueprint 2015 (ASEAN 2016, p. 1). Its vision remains to realize a 'united, inclusive, and resilient community' where peoples of ASEAN 'live in a in a safe, harmonious and secure environment, embrace the values of tolerance and moderation as well as uphold ASEAN fundamental principles, shared values and norms' (ASEAN 2015, p. 14).

Similar to the APSC 2015 Blueprint, the current Blueprint is committed to the principle of 'comprehensive security' (ASEAN 2016, p.2). Comprehensive security served as a tool of national security, regime survival, and legitimization. It considers threats caused not only by 'high politics' such as military attacks, but also threats emanating from the arena of 'low politics,' such as socio-economic and transnational issues With this approach, countries of the region have looked at external and internal threats – both military and non-military – that have the potential for destabilization and put their survival as nations at risk (Othman 2004).

Even so, while ASEAN took up comprehensive security as its principal security framework, AMS did not totally reject the realist concept of military security. They continue to emphasize the relevance of national security in defensive terms and carry on to defend the statist principle of sovereignty and the international norm of non-interference in the domestic affairs of states. Although the comprehensive security concept enlarges security to include non-military issues, the primacy of state's survival and territorial integrity remains the fundamental interest.

In as much as state security remains paramount to AMS, they do not wish to offer or entrust the defence of their state's sovereignty to a regional supranational body like the ASEAN. Conflicts and disputes over territorial and maritime rights have, historically, resolved not through the employment of existing regional modes of peaceful settlement, such as conciliation and mediation or use of the High Council of the TAC, but by way of international or extra-regional bodies engaged in dispute settlement.

To illustrate this, the Malaysia–Indonesia dispute over the Sipadan and Ligitan Islands in the Sulawesi Sea (Trost 1995) and the Singapore–Malaysia dispute over the Pedra Branca islands in the South China Sea and the disagreement over the Horsburg Lighthouse were settled in 2002 and 2008 (in favour of Malaysia and Singapore respectively) through arbitration by the International Court of Justice (ICJ). The Thai–Cambodia dispute over the Preah Vihear temple (called Phra Viharn in Thailand), one of the worst intra-ASEAN conflicts on record, was likewise determined by the ICJ in 2013. Moreover, the Ambalat sea block in the Celebes sea continues to be contested by Indonesia and Malaysia, and their case has been submitted to the ICJ.

In 1999, the East Timor crisis was referred to the United Nations rather than to ASEAN for resolution as it was considered an internal affair of Indonesia, of which no AMS has the right to interfere following the principle of non-

intervention. The referendum vote on whether or not East Timor would be independent from Indonesia was administered by the United Nations Mission in East Timor (UNAMET). After the vote for independence, the UN Transitional Administration in East Timor (UNTAET) administered the region for two years, and not ASEAN, before turning over the administration to the independent Government of East Timor in 2002 (Cotton 2000).

In the case of the on-going territorial dispute in South China Sea (SCS), claimed by the Peoples' Republic of China (PRC), Taiwan, and four ASEAN countries (Indonesia, Malaysia, the Philippines, and Vietnam), the Philippines broke ranks with ASEAN and opted not to use ASEAN institutions and mechanisms as the route in addressing the dispute and claiming its maritime rights (Buendia 2016). Instead, it filed a case and sought a ruling from the Permanent Court of Arbitration (PCA) in 2013 concerning the country's legal entitlements under the UN Convention on the Law of the Sea (UNCLOS). Contrary to what the ASEAN Way prescribes, this was done without prior consultation with other ASEAN member states.

Apparently, ASEAN prefers not to speak with a single regional voice when it comes to contentious issues affecting individual AMS as in the case of the SCS row with PRC in the interest of maintaining a cordial relation between parties and avoiding enmity among disputants. For instance, in a Special ASEAN-China Foreign Ministers' Meeting, Kunming, Yunnan Province, in China (13-14 June 2016) held ahead of a ruling by the PCA in The Hague, ASEAN withdrew a 'strongly-worded statement' released by the Malaysian foreign ministry, while not naming China directly.

The initial statement reiterated ASEAN's anxieties over China's artificial island building and the militarization of the region, but also defied China's position that the dispute should be settled by the parties directly concerned and that it is not an issue between ASEAN and China. But just hours later, a Malaysian ministry spokeswoman retracted the statement, stating 'urgent amendments' are necessary to be made and an updated version would be issued.. However, no updated joint statement was later distributed and the spokeswoman said that countries would make individual statements.

Vietnam's Ministry of Foreign Affairs, in a statement on the Kunming meeting, made no reference to the earlier ASEAN statement but echoed its disquiets over increased military build-up in the South China Sea, 'especially the large-scale accretion and embellishment and construction of the reefs, the militarization of the artificial islands and actions of sovereignty claims that are not based on international law.' Singapore and Indonesia, meanwhile, took a softer tone, calling on ASEAN and China to 'continue working together to maintain the peace and stability of the South China Sea.'

The South China Sea dispute demonstrates the primacy of individual country's commitment to their own sovereignty and national interest over regional interest. The 'ASEAN Way' of mutual respect for sovereignty, non-interference in the internal affairs of the state, consensus-style decision-making based on tolerance and equality, and a preference for relaxed and unceremonious mode of dialogues has virtually rendered ASEAN as a consultative body, lacking authority and power to discipline its members or re-shape its behaviour. It is for this reason that AMS favour international or global governance mechanisms, like the UN, ICJ, or any UN-affiliated institutions, to adjudicate inter-state disputes rather than ASEAN's institutions engaged in conflict resolution.

Still, the APSC's intention to raise security cooperation of AMS to a 'higher plane' has yet to materialize by enhancing the capacity of ASEAN's institutions in peacefully resolve conflict without or minimal employment of international or extra-regional institutions and mechanisms in adjudicating regional disputes.

Rethinking the ASEAN Way as a security framework

Notwithstanding the ASEAN Way can be credited for its ability to moderate and mollify brewing tensions between intra- and extra-ASEAN states and encouraged bilateral negotiations to avert armed conflict, the doctrine had not been critical in resolving growing intra-regional territorial conflict. Its frailty as a framework of ASEAN security consequently increases insecurity in the region. The non-intervention of ASEAN over the Rohingya genocide committed by the state of Myanmar or indiscriminate killings of Patani minorities in Southern Thailand led to massive refugee crises and greater instability in neighbouring countries. This is similar to non-traditional security (NTS) issues

ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia

Written by Rizal Buendia

– i.e., drug trafficking, maritime piracy, people smuggling, etc. – that affect all AMS and destabilize the region, yet ASEAN simply watches with a blind eye.

Equally important is the ability of the ASEAN Way to maintain regional unity in rallying behind AMS in the face of the PRC and US rivalry in the SCS. The ASEAN Way of non-interferences, conflict avoidance, face saving and an incremental approach to conflict resolution through consensus and dialogue makes it increasingly difficult to cope with the new contours of Sino-American contestation in SEA. While many like to see a strong US presence in Asia to provide an effective balance in the region, few want to be caught in the crossfire between Washington and Beijing (Thayer 2011).

Overall, the need to rethink non-interference should be seen not as an abstract moral concern associated with human rights protection and intra-regional environmental interests, and cross-border issues, but as a matter of "practical" necessity without which ASEAN cannot stay relevant and address real world changes and challenges.

Conclusion

As Vietnam's Prime Minister Nguyen Xuan Phuc says in his opening statement as the 36th ASEAN Summit, that ASEAN is 'pursuing the theme of Cohesive and Responsive amid volatilities in the regional and global landscape', it remains ambiguous as to how regional unity could be reinforced given the cultural variation, ethnic diversity, stages of economic development, and variety of political systems practised in Southeast Asian countries. The differences in the conception of state rights, values and norms of democracy, and national objectives will make it difficult to achieve regional unity and collaboration especially concerning areas where regional security runs in conflict with the national security and interest of individual AMS.

In spite of the amiable outcomes generated by the ASEAN Way, it impedes in making swift decisions and actions on critical regional issues or trans-boundary concerns. It inhibits the shaping of a regional perspective that transcends national interest and crafting of a tight cooperative mechanism in achieving a regional vision. It is imperative therefore that the application of the ASEAN Way as a security doctrine be reconsidered.

The APSC has yet to achieve its goals and live up to its emancipatory promises. The vision of APSC to fortify ASEAN as a security community in the region may necessitate AMS to bargain part of its sovereign rights in exchange for achieving regional or multi-national goals based on the ideals of democracy, freedom, good governance, justice, and human rights and current regional and global challenges. The roadmap presumed to lead Southeast Asians to a 'higher plane' of political oneness, belongingness, and secured future needs to be revisited and rethought.

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ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia
Written by Rizal Buendia

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ASEAN 'Cohesiveness and Responsiveness' and Peace and Stability in Southeast Asia
Written by Rizal Buendia

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