

Asean Moderation As Confidence-Building Measure

Bunn Nagara

ABSTRACT

After 47 chequered years, the Association of Southeast Asian Nations has retained its relevance and even grown impressively. Now with a full complement of all 10 countries in south-east Asia, Asean has developed new institutions and practices while refining its methods. Yet some challenges also remain, and there is much that Asean must do to maintain standards of performance and achievement. However, progress depends as much on appreciating Asean's strengths as on acknowledging its actual limitations. This should begin with an understanding of its origins and development as well as knowledge of some of its undeserved criticisms. In sum, Asean's biggest regional contribution may be as a confidence-building measure. However, this vital role is enabled only by its moderate nature, ingrained in the organisation since its inception. This contribution is not necessarily unique to Asean either, since any regional organisation sharing Asean's attributes and aspirations can also do as well.

**ABOUT THE AUTHOR**

Bunn Nagara is a Senior Fellow at ISIS Malaysia and a media commentator on strategic issues. He was Senior Analyst and Visiting Fellow at ISIS, Research Fellow at ISEAS (Singapore) and Asean Fellow at the Japan Institute of International Affairs (Tokyo). Mr Nagara has published in *Race and Class*, *The Indonesian Quarterly* and *Contemporary South-East Asia*, besides the East Asian press and appeared in regional current affairs broadcasting. He has contributed to books on peace journalism, regional order in East Asia and the rise of China. He graduated from Southampton University and completed a graduate course in Uppsala University.

AS Asean approaches its first half-century, it has proven to be as prevalent and ubiquitous in regional affairs as it has been widely discussed and misunderstood.¹ Policymakers and scholars vie with one another to dissect and debate what the Association of Southeast Asian Nations is and represents. Historical references have been cited, theoretical models proposed, established perspectives challenged and counter-perspectives advanced. Not uncommonly, abstract navel-gazing tends to generate an academic cottage industry of its own, becoming that much more distant from Asean and its work.

The more Asean and its influence remain pervasive, the more important it is to understand its nature and origins as well as its scope and terms of reference – and thus also its strengths, promise, limits and weaknesses. One thing that Asean is not, and was never meant to be, is an academic exercise in regional organisation. Neither was it an attempt to mimic any other regional organisation like the European Union, although Asean has never shied from absorbing useful lessons from anywhere through selective adaptation. A pragmatic child of necessity of its time and place, the Southeast Asia of the 1960s, Asean has essentially been about a regional convergence of distinct national endeavours when that serves, enhances or (at minimum) does not jeopardise the national interest of any of its constituent member states.

To understand Asean is to appreciate its contribution to regional peace and security, as well as to comprehend its value in the present and the future. Since Asean has no intrinsic governing authority of its own, but rather whose future derives entirely from the interest and resources that individual member governments invest in it, Asean is also a regional indicator of inter-state cooperation, organisation and security. Besides Asean's several efforts at confidence building in southeast Asia, one often neglected aspect of its work is its very being – that Asean itself is a confidence-building measure (CBM), as it was meant to be from its beginning, and the most significant CBM in the region. Its growth in transnational reach and membership number testify to the ever-larger stakes involved.

To cut through the web of misperception and misinterpretation, it is best to begin at the beginning. Asean was established jointly by Indonesia, Malaysia, the Philippines, Singapore and Thailand on 8 August 1967. It was an opportune time to commence formal regional cooperation both historically for the region, and nationally in the cross-border relations of the five co-founding member nations. This confluence of opportunity meant the founding five, under their respective national leaders at the time, had little reason to object to the establishment of Asean.

¹ See Bunn Nagara, "Misunderstanding the 'Asean Way,'" *Sunday Star*, 1 December 2013.

Some background

On 8 September 1954 several countries led by the United States came together to form a military alliance, the Southeast Asia Collective Defence Treaty. A product of the anti-communist Truman Doctrine, it was also known as the Manila Pact. The US role as “defender” however was limited to confronting communist attacks. Despite its name, most of the treaty signatories were not in southeast Asia and most southeast Asian nations were not members.

This arrangement became the Southeast Asia Treaty Organisation (Seato) on 19 February 1955, assigned as a regional equivalent of Nato. Despite formal sovereign equality among members, it remained Western-centric. The only countries in the region that were members were the Philippines and Thailand, both of them US allies. The others were Australia, Britain, France, New Zealand, Pakistan and the United States.

The non-aligned impulse in the rest of south-east Asia seemed to have kept it away from Seato. The clear ideological intent did not appear to have converted much of the region to the Western anti-communist cause. Despite Seato’s multilateral and bilateral (with the United States) defence provisions, non-aligned tendencies even in Thailand and the Philippines had not been extinguished but – decades later – tended to militate against alliance status.²

Since Seato had been conceived as an ideological rather than a political, security or administrative entity, it did little even to secure tangible regional security. It did distinguish itself, however, in support of the US war in Vietnam, which split regional sentiments. Soon Seato succumbed to its own internal regional contradictions and withered away.

On 31 July 1961 the Association of Southeast Asia (Asa) was established between then Malaya, the Philippines and Thailand. Before long it proved unviable. From the start, it might be questioned whether any organisation limited to just three countries in an increasingly complex region of sovereign nations in the second half of the 20th century ever stood a chance. In comprising only the three countries, Asa had also excluded Indonesia, the largest country in the region.

The next attempt at regional organisation in Southeast Asia was Maphilindo, comprising Malaya, the Philippines and Indonesia in July 1963. Known variously as

² Personal communication with Bangkokians, and with a resident diplomat at the Malaysian Embassy in Manila, February 1986. Also, in his welcoming address at the Fourth Asean Ministerial Meeting in Manila in March 1971, then Philippine Foreign Minister Gen. Carlos Romulo lamented that countries in the region had been “victims of world powers in their ideological power play,” prompting “an awakening to their common identity and community of interests.” See Vinod K. Aggarwal and Jonathan T. Chow, “The perils of consensus: How Asean’s meta-regime undermines economic and environmental cooperation,” Berkeley Apec Study Center, University of California, Berkeley, July 2009.

Malaya Irredenta and the Greater Malayan Confederation, it purportedly sought to advance Malay ethnicity regionally. Other interpretations saw it as effectively diminishing the status of minority races such as the ethnic Chinese, and disrupting moves to establish Malaysia (comprising the Federation of Malaya, Singapore, Sabah and Sarawak). As it had been with Seato and Asa before, the narrowness of Maphilindo's agenda also hastened its demise.

By 1967 Southeast Asia had changed somewhat, some of that in disconcerting ways for Malaysia. Singapore had left Malaysia in 1965 after helping to establish it two years before, the Philippines continued to demand the Malaysian state of Sabah for itself, and it was unclear if the *Orde Baru* (New Order) regime of President Suharto in post-Sukarno Indonesia would endure or end the policy of *konfrontasi* (confrontation) with Malaysia for good. Several leaders in the region saw that time as a valuable window of opportunity to build constructive regional relations through a new organisation that was workable and mutually reassuring for member nations.

The new organisation, the Association of Southeast Asian Nations, thus had to be a voluntary and inclusive coming together of equals that would also assure members that their sovereignty would remain intact. This priority cannot be underestimated, especially since all the member nations treasure their hard-won sovereignty following independence (except for Thailand) from Western colonial powers. The organisation would also be an association, as Thailand had preferred with Asa, rather than a tighter union. Decision-making in Asean would therefore proceed from consensus, with a cardinal principle being non-intervention in the internal affairs of member states.

At this point it is important to lay some myths about Asean to rest. More than a few analysts tend to presume that the organisation was established as a Western affiliate during the Cold War to serve as an anti-communist front. That is not the first nor the last Western-centric notion to be plausible but far from accurate. Asean's primary rationale was security rather than economic cooperation or cultural exchange as initially declared, but the security sought was that between mutually suspicious or feuding neighbours.

The lack of this intra-regional security had compromised individual national efforts at economic development and nation building. For post-colonial nations still finding their feet in both tasks, and for which domestic pressures could only be offset by increasing the economic pie, the imperative of growth-with-stability ("peace and prosperity") was of singular national importance. The founding members had enough of their own reasons to formalise their own fraternity.³

³ Bunn Nagara, "Building the new East Asia," in *Regional Order in East Asia: Asean and Japan Perspectives*, NIDS Joint Research Series No. 1, National Institute for Defense Studies, 2007, Tokyo.

Although several states in Southeast Asia faced communist-inspired insurgencies, but these were all home-grown rebellions. The insurgencies enjoyed little more than moral support from China (and often no more than that), were uncoordinated across the region, and were not part of some pan-regional, Cold War “great game.” The occasional argument that China’s strategic role was still somehow part of the Cold War scenario is more notional and presumptive than sensible or substantiated.⁴ The “China card” that Nixon and Kissinger played in fact had the effect of mitigating Cold War implications in the region, and of enhancing China’s independent position in the global bipolarity of the Cold War.

Asean’s formation had also predated some of its supposed motivations, like Britain’s 1968 announcement of its decision to withdraw its forces “east of Suez” by 1971 and the 1969 US Guam Doctrine.⁵ At the same time, Asean’s capacity to accommodate or even encourage a sense of non-alignment should not be neglected. Not only has Indonesia sustained its non-aligned impulse through the Sukarno and Suharto years, but Asean has also been seen as an outlet for a US-allied Philippines.⁶

Asean’s establishment also signalled a return to a pre-colonial south-east Asia when the region was not riven by the strategic rivalry of external powers. It was then a region when national leaders freely met one another to confer on issues of trade and governance.⁷ The notion of a Western-backed Asean had prompted China to regard it in that light for several years, but that does not substantiate any sense of Asean being anything other than unaligned.

Although Vietnam’s 1979 invasion of Cambodia is often said to have galvanised Asean countries into a more anti-communist mode focused externally, this concerned the security agencies more than policy analysts or government strategists. There was still little advocacy for a regional security alliance, with the focus of concern being more on helping Thailand cope with any spillover effects across its border with Cambodia.⁸ With Vietnam to Cambodia’s east and Thailand to Cambodia’s west, such anxieties typically relate to mass refugee influxes

⁴ Joseph Chinyong Liow, “Malaysia’s post-Cold War China policy: A reassessment,” in *The Rise of China: Responses from Southeast Asia and Japan*, NIDS Joint Research Series No. 4, National Institute for Defense Studies, 2009, Tokyo.

⁵ Asean was formally established in August 1967, indicating that plans had been made, discussions held and agreement found among the five original member states some time before. Britain’s announcement of its forces withdrawal east of Suez came only in January 1968, following the Wilson government’s decision to devalue the pound in 1967, although the announcement of the withdrawal is sometimes linked to that of devaluation to the extent of being dated also as 1967. Lee Jones, “Asean and the norm of non-interference in Southeast Asia: A quest for social order,” Nuffield College Politics Group Working Paper, March 2009, Oxford. The Guam (or Nixon) Doctrine was announced by President Richard Nixon in Guam on 25 July 1969. Vinod K. Aggarwal and Jonathan T. Chow, *op. cit.*

⁶ Vinod K. Aggarwal and Jonathan T. Chow, *op. cit.*

⁷ Personal communication with former Malaysian Foreign Minister Tan Sri Ghazali Shafie, 1992.

⁸ Amitav Acharya, “A survey of military cooperation among the Asean states: Bilateralism or alliance?,” Centre for International and Strategic Studies, Occasional Paper No. 14, May 1990.

(into Thailand) rather than (Vietnam's) extended military incursions. Asean's comfortable accommodation of non-democratic Brunei and communist Vietnam subsequently only confirmed its non-ideological underpinnings.

Asean's core principles

Further analysis of Asean tends to dwell on its core principles of consensus and non-intervention. In times of crisis, critics typically bemoan the limitations ostensibly imposed by these operative principles. A debate then ensues over the problems or virtues of continuing with them.

Much of such debate ignores the reality that the principles serve as part-guide, part-rhetoric, although still useful as operating norms, while Asean practices selective observance without seeing that as violating any norms. The selective observance of principles in practice, without open or formal acknowledgement of it as such, then becomes an operative norm. Given the flexibility that Asean-in-practice adopts in relation to consensual decision-making and non-intervention in the internal affairs of member states, much of the haranguing tends to go off at a futile tangent.⁹

A corollary of such discussions then presumes that consensus and non-intervention are peculiar Asean characteristics unique to the organisation, when they are in fact cornerstones of the international system common to other international organisations including the United Nations.¹⁰ Any regional organisation that has had Asean's experience of colonialism, decolonisation and the imperative of regional regime building is also likely to exhibit similar tendencies. Asean itself would not have existed at all, let alone grow to accommodate 10 sovereign nations, if it had not prescribed non-intervention and sovereign equality for all its members. The latter in practice becomes decision-making by consensus.

The problem emerges when Asean decisions and actions, if any, are perceived as slow, laborious and ineffectual. Where crises occur in the region, Asean tends to appear aloof, out of touch or irrelevant. However, such criticism neglects the distinction between "non-interference" and "non-involvement."¹¹ Asean is seldom if ever uninvolved in pressing regional issues, but whether the involvement amounts to intervention or interference – and is openly acknowledged by Asean as such – are quite another matter.

⁹ David Ginn, "The abused notion of non-interference," Asean Inter-Parliamentary Myanmar Caucus, undated. Although many of the issues Ginn raises are valid and important, the chief issue of Asean having to modify its stand on absolute non-intervention is misplaced because observance of Asean principles has never been absolute. Jones *op. cit.*

¹⁰ Non-intervention as a policy principle originated in Europe, specifically with the Treaty of Westphalia that coined the concept of the nation state. John Funston, "Asean and the principle of non-intervention – practice and prospects," Institute of Southeast Asian Studies, No. 5, March 2000; based on a paper by John Funston at the Council for Security Cooperation in the Asia-Pacific, 7th Comprehensive Security Working Group Meeting, 1-2 December 1999, Seoul

¹¹ Funston, *op. cit.*

Political leaders in Asean can be adept at using English words to finesse issues, thereby effecting desired diplomatic outcomes or avoiding undesirable ones. In a region that is often rich in nuances, that means considerable political, diplomatic and linguistic skills. Sometimes the result appears indeterminate, which may suggest failure in influencing an outcome, or rather success in not having to pursue the matter further. One example, which stretched for over a decade, may serve to illustrate the point.

In the 1980s, US President Ronald Reagan was criticised internationally for doing business with apartheid South Africa. He tried to excuse the US position away by calling it “constructive engagement.” Reagan did not expect his critics to regard US policy differently on account of that, but there was little he could say in defence of promoting relations with a pariah state. The international community made a note of that without excusing the Reagan administration’s conduct.

Later, when the US and EU criticised Asean countries for doing business with Myanmar’s military junta, Asean’s response was to call the dealings “constructive engagement.” Asean did not expect its relations with the junta to be excused by its critics either, rather it was meant to show that working with pariah states neither began with Asean nor was it unique to the organisation. Nonetheless, international opprobrium over the junta’s dismal human rights record lingered. Then Malaysian Deputy Prime Minister Datuk Seri Anwar Ibrahim advanced the concept of “constructive intervention” against errant states like Myanmar.¹² “Intervention” is typically seen as action directed against a regime, but in this case labelled as “constructive” to soften the blow.

Beyond a measure of support in Thailand, “constructive intervention” met with rejection from the other Asean countries. Indonesia and Singapore openly repudiated it.¹³ Then Malaysian Foreign Minister Datuk Seri Abdullah Ahmad Badawi countered with the concept of “constructive interaction,” subtly shifting the focus back to engaging (positively) with Myanmar rather than intervening (negatively) against it. But that did not end the issue there.

On the eve of the Asean Foreign Ministers’ Meeting in July 1998, the concept morphed into “flexible engagement.” Discussion on it followed at the meeting, with inconclusive results. The concept changed again to “enhanced interaction,” which could be taken to mean almost anything or nothing. Asean was already interacting with Myanmar – whether it was called intervention or engagement, and how far the “new” interaction was supposed to go were never specified.

¹² Anwar Ibrahim, “Crisis prevention,” in *Newsweek*, 21 July 1997.

¹³ Amitav Acharya, *Whose Ideas Matter? Agency and Power in Asian Regionalism*, Cornell University Press, 2009, 126, 127

The discussion and the debate “concluded” thus without a discernible conclusion. However, that should not be assumed to mean that the issue went nowhere. Nothing new or definitive had been adopted, and nothing was identifiably revised, so that meant remaining with the status quo. In effect it was another Asean way of saying let things be. The whole exercise was – apart from anything else – an interesting diplomatic tour of the linguistic landscape, showcasing how words were selected to impart certain preferences.¹⁴

As experienced Asean hands have discerned, rejection of new concepts may have originated from apprehension that long-held principles would be displaced or modified, rather than the merits (or flaws) of the new concepts themselves.¹⁵ That the changes tend to come when Asean is under pressure makes them even less appealing to Asean’s practitioners, particularly the more conservative ones. Furthermore, eager reformists bristling with the rush of a new idea tend not to consider the full implications of the proposed changes to Asean’s core principles and practices. But since any change requires thoroughgoing discussion and debate, the arguments that began with “constructive engagement” but eventually seemed to grind to a halt may not have been in vain.

Asean’s burden, and promise

From the foregoing, it is evident that Asean has had to bear the burden of unfair criticism. At its coarsest, criticism covers Asean’s supposed inability to avoid or deal with such problems as the 1997-98 financial crisis and the 2003 Sars (severe acute respiratory syndrome) outbreak.¹⁶ It does not seem to matter to these critics that Asean was never intended or designed to handle such problems. Equally (or more so), Nato as a military alliance may be accused of failing to prevent the Kosovo crisis and the EU the currency crisis in Europe.

At another level, criticism is also levelled at Asean for possessing only limited, largely bilateral capacity for handling challenges posed by terrorism and piracy.¹⁷ Although there is always room for more work and better coordination, Asean’s traditional security challenges – including insurgency, terrorism and piracy – has largely been domestic or at most bilateral (with a neighbouring country). As these challenges grow, so has Asean’s response, as evidenced in the “Eyes in the

¹⁴ Unnecessary confusion is sometimes caused when the different terms or concepts are used interchangeably to mean the same thing, even when former Indonesian Foreign Minister Ali Alatas and others had stressed their distinct differentness. See Dewi Fortuna Anwar, “Asean enlargement: political, security and institutional perspectives,” in *Asean Enlargement: Impacts and Implications*, ed. Mya Than and Carolyn L. Gates, Institute of Southeast Asian Studies, 2001, 39.

¹⁵ Funston *op. cit.*

¹⁶ Muhammad Fuad Othman and Zaheruddin Othman, “The principle of non-interference in Asean: Can Malaysia spearhead the effort towards a more interventionist Asean?,” in Political Managements and Policies in Malaysia Conference, 13-15 July 2010, Langkawi, Kedah, Malaysia.

¹⁷ Ralf Emmers, “Comprehensive security and resilience in south-east Asia: Asean’s approach to terrorism and sea piracy,” RSIS Working Papers, S. Rajaratnam School of International Studies, Nanyang Technological University, 2007, Singapore

Sky” (EiS) joint operations in the Straits of Malacca involving Indonesia, Malaysia, Singapore and Thailand. Working as less than the full membership of 10 countries need not be a liability either: Asean’s “10 - x” formula has proven useful, not the least of which being to expedite processes and operations.

At the same time, Asean has also been criticised for unduly insisting on “its” non-intervention principle even when that is said to be a handicap. Strangely, some observers see observance of the principle as “Asian”, but still with Asean in the middle of it. They are able to see it practised by countries other than those in Asean, but not as a universal practice of a universal principle. More than a dozen non-Asean Asian countries in South Asia and north-east Asia are said to be burdened by this principle.¹⁸

Yet through all these travails, Asean continues to work, to benefit its members and to contribute to regional peace in its region. For a region that had in years past seen serious threats and violent conflict between neighbouring countries, this is no mean feat. It is often said that Asean membership has seen no fighting between members. There have been occasional tensions and spats, but no open, physical conflict. Why has this been so?

One reason is that since its founding, Asean has been an inclusive organisation that does not compel its members to adopt a particular economic or political system. This gives space to members to develop in their own way, often through mutual assistance. Another reason is that Asean is a pragmatic organisation not determined by ideology or obsessed with a particular worldview. That encourages favourable working comfort levels among members, which also promote frankness and sincerity in their relations.

Third, Asean is not and has never been a tool of the Cold War or any major power. Its implicitly unaligned nature lends comfort to developing countries still trying to establish their sovereign status. Fourth, Asean countries individually and collectively have no predatory designs on any region, including their own. Asean members’ security concerns are largely domestic, and they have more to gain by working together than by contesting one another.

Fifth, Asean’s mode of interaction comprises hundreds of meetings a year amounting to solid, regular engagement in a web of mutual exchanges. This leads to comforting familiarity and confidence building. Sixth, that much in these exchanges tends to be informal offers flexibility and forbearance. It avoids undue pressures while allowing different member states with different capacities to proceed at their own pace.

¹⁸ Hitoshi Nasu, “Revisiting the principle of non-intervention: a structural principle of international law or a political obstacle to regional security in Asia?,” Australian National University, paper presented at the 3rd NUS-AsianSIL (Asian Society of International Law) Young Scholars Workshop, NUS Law School, 23-24 February 2012.

Seventh, Asean has also developed institutions and practices that offer alternative channels for members to express their differences without resorting to conflict. Among members there are regular meetings of foreign ministers and defence ministers, as well as other forms of networking at the level of officials. Eighth, Asean has also developed relations with non-members through institutions like Dialogue Partnership and specific bodies like the Asean Regional Forum. The latter helps to keep Asean connected in broader regional (Asia-Pacific) engagements, a development that now takes the form of Asean “centrality”.

Ninth, all members – old or new, large or small, rich or poor – have equal rights and entitlements. That means no sense of inequality or unfairness, as well as decision-making by consensus where each member enjoys palpable rights by simply being equal with any other member. Tenth, Asean’s workaday purposiveness means it is driven by the business of the policy at hand, focused on due implementation, rather than by any partisan consideration or sectarian preference.

All of the above amount to an operative culture of moderation. Although Asean may not articulate moderation as its purpose or mission, moderation is nonetheless its *modus operandi*. That would help to explain Asean’s success as a regional organisation in a very heterogeneous region, and its continuing promise for the future. But this, too, need not be uniquely Asean; any regional organisation that practices Asean’s work culture and aspires to its goals should prove just as successful.