

Analyzing the Institutional and Normative Architecture of ASEAN: Reconsidering the Concept of the “ASEAN Way”

Taku YUKAWA

I. Introduction

Ever since the latter half of the 1990s, studies on ASEAN have focused intensively on the norms and rules which govern the behavior of ASEAN's member states. This implies that when researchers choose to focus on the international relations in Southeast Asia; or the role of ASEAN in preserving regional order within Southeast Asia, it has become customary for them to base their analyses upon the ASEAN norms (Acharya, 2001; Haacke, 2003; Katsumata, 2004; Caballero-Anthony, 2005). In addition, a key-word which has become extremely prominent in the academic literature of ASEAN would be the “ASEAN Way”, which refers to the diplomatic norms or rules that ASEAN member countries are subject to. In fact, the concept of the “ASEAN Way” has become almost indispensable to contemporary works on ASEAN.

What exactly then, does the concept of “ASEAN Way” embody? This question becomes extremely relevant, if we were to consider the fact that the “ASEAN Way” is not a written norm; and that it has never made an appearance in any of the official regional documents or codes of ASEAN. Moreover, analytical extensions to the concept of the “ASEAN Way” are extremely uncertain, given that no particular researcher in the field has ever sought to create a standard definition for the concept itself. What can be said, however, is that if one were to define the concept in a general sense that seeks to embody all the basic elements

which it comprises, such a definition would be as follows: The “ASEAN Way” is an unwritten norm, which is comprised of “common or standard norms which can be found in the United Nations Charter”; as well as “several procedural norms”. Examples of the former include non-intervention; sovereign equality; the pacific settlement of disputes; and territorial integrity. Examples of the latter, on the other hand, include consensus-building which is based on mutual discussion and non-confrontation among member countries. Among the above, the principle of non-interference and the principle of consensus-building based upon consultation, have come to be treated as the core concepts of the “ASEAN Way”. In addition, these concepts are founded upon paying full respect to the sovereignty of ASEAN member countries. Therefore, the “ASEAN Way” can in fact be interpreted as a norm, which stresses heavily on respecting the sovereign rights of ASEAN member states.

As previously mentioned, the “ASEAN Way” has not been formally mentioned in any official agreements or accords of the ASEAN. However, frequent mentions of the various factors which comprise the “ASEAN way” have been observed from time to time. Three noteworthy examples would be the “Treaty of Amity and Cooperation in Southeast Asia” which was forged in 1976; “ARF Concept Paper” in 1995; and the “ASEAN Charter” which was brought into effect in 2008. In particular, the ASEAN Charter officially installed the consultation and consensus as a basis for decision-making, for the first time in ASEAN’s history. However, it can be said that the majority of ASEAN’s norms and rules were forged in the decade starting from the establishment of the organization in 1967, to the signing of the “Treaty of Amity and Cooperation in Southeast Asia” in 1976.

While it is true that the “ASEAN Way” is indeed important to the analysis of the international relations among ASEAN’s members, it is striking that up to the present date, there has been no attempt to define the concept in a rigorous academic way. Scholars in general, have also spared too little attention to the potential problems that basing their analyses solely upon the analytical foundation of the “ASEAN Way” might pose. For example, while healthy

skepticism is part-and-parcel of any field of analysis, scholars in the field of ASEAN studies have paid way too little attention to pressing questions such as the following. Does the idea of the “ASEAN Way” utilized in many different studies refer to the same concept? Furthermore, does the set of behavioral norms which govern the diplomatic relations of ASEAN countries differ substantially from that of other regional organizations, in such a way that justifies the usage of the term “ASEAN Way”? Also, do the actors who are involved in ASEAN’s diplomatic relationships perceive the norms which they are being subjected to in the same way as how scholars perceive them? In the ways described above, it must be said that while the “ASEAN Way” has come to occupy the center-stage of recent analyses on ASEAN, the relevance and accuracy of its usage remains for a large part, unconsidered.

For this purpose, the first aim of this article is to define the concept of the “ASEAN Way” in a rigorous manner. Having done that, the second aim would be to clarify what kinds of problems exist, or what types of considerations are lacking, in the existing literature. Finally, the third aim would be to analyze some of the ways in which the exiting problems in the literature can be solved or overcome.

The concept of “ASEAN Way” described above has become central to contemporary studies on ASEAN. For this reason, considering its relevance or significance to analyses on ASEAN is an important exercise, which should contribute greatly to this field of study.

II. The conventional literature on ASEAN and the “ASEAN Way”

In his 1996 publication, Huxley summarized the conventional literature on ASEAN as being descriptive; chronological; and generally based -be it subtly or distinctly - upon a realist view of the world (Huxley, 1996). Echoing Huxley, Acharya and Stubbs have also pointed out that prior to the 1990s, the number of academic attempts to theorize ASEAN was few (Acharya and Stubbs, 2006, pp.1-2).

As a matter of fact, research on ASEAN prior to the 1990s was either devoted to the chronological narration of ASEAN history; or the description of ASEAN's roles as a regional organization on specific issues pertaining to the diplomatic relationship among ASEAN member countries (Jorgensen-Dahl, 1982; Broinowski, 1982; Leifer, 1989). There were hardly any attempts made to conceptualize or theorize ASEAN, and narratives on ASEAN seldom refer to International Relationships (IR) theory, such as (neo)realism or (neo)liberalism.

The nature of ASEAN studies only began to change in the 1990s, and most prominently in the latter half of the decade. This was mostly owing to the fact that the number of studies on ASEAN increased substantially in the 1990s, due to a marked increase in the degree of international recognition for the organization. A major contributing factor, for instance, was the stark improvement in ASEAN's external reputation, due to the significant role it played in the resolution of the Cambodian dispute in the 1980s (Yukawa 2011). However, the greatest change which the nature of research on ASEAN underwent, was perhaps the birth of an attempt to formally conceptualize the behavioral patterns of ASEAN member countries. This was the introduction of the "ASEAN Way" into the field of ASEAN studies. The concept of the "ASEAN Way" provided the link between existing ASEAN studies, and the new attempt to theorize ASEAN. In general, this concept sought to explain the success of ASEAN as a regional organization, in terms of the "unique" behavioral norms that govern the relationships among ASEAN countries.

The concept of the "ASEAN Way" was first introduced in the latter half of the 1990s, and it soon became one of the most important concepts to the field (Kusuma, 1995; Acharya, 1997)⁽¹⁾. The fact that most of the publications on ASEAN after the year 2000 were focused extensively on the norms and behavioral

1 The term "ASEAN Way" was cited in a particularly early work by Solidum (1981). However, Solidum's usage of the term differs substantially from the concept of the "ASEAN Way" that was used by scholars in the late 1990s. Therefore, Solidum's work can be said to be an exception to the field.

patterns of ASEAN's member countries stands as testament to the above observation (Acharya, 2001; Narine, 2002; Haacke, 2003; Caballero-Anthony, 2005; Ba, 2009). In fact, it can be observed that contemporary research on ASEAN tends to comply to the standard format, where these studies tend to emphasize how ASEAN's member countries conformed to a specific set of behavioral norms in the important issues in the history of ASEAN; the initial period of ASEAN's activity, starting from its establishment in 1967 and stretching to its first ministerial convention in 1976; its role in resolving the Cambodian Dispute in the 1980s; its participation in broader regional organizations such as the APEC and the ARF; and the enlargement of its membership with the accession of Indochina in the 1990s, and so on.

One key factor which caused so much emphasis to be placed on the "ASEAN Way", was the rise in popularity of constructivism, among scholars of IR (Wendt, 1999). In particular, the rise in popularity of constructivism made it extremely convenient for scholars to explain the success of ASEAN in constructivist terms, that is, in terms of the efforts made by ASEAN members to conform to the norms of the organization (One example of such would be the fact that ASEAN members have never experienced any form of serious military conflict among themselves). In this light, it can be said that the popularity of the "ASEAN Way" in the field of ASEAN studies draws its roots heavily from the influence of constructivism in IR theory. Such an argument will be returned to in section 4 of this article.

Having said that, however, I will argue that while most studies use the same term "ASEAN Way" to refer to the behavioral norms of ASEAN member countries, there are, in fact, two independent interpretations of the term within the existing literature. Although the line of distinction between these two interpretations is not always clear, studies which draw upon each of these interpretations tend to adopt different approaches from one another. The first interpretation is derived from the viewpoint that conceptualizes the "ASEAN Way" as an institution. This school of thought attributes the successes (or failures) of ASEAN, to the fact that ASEAN members were being subject to an institution where each member was obliged to conform strictly to a set of rules,

such as non-interference and consensus-seeking, when making official decisions. This school of thought also focuses heavily upon the rationalities and effectiveness in the institutional design of ASEAN itself.

The second interpretation, on the other hand, is derived from the viewpoint that conceptualizes the “ASEAN Way” as a set of norms. This school of thought focuses primarily on the process whereby the set of norms presented by the “ASEAN Way” was internalized through the behavioral choices of ASEAN members over time. It also focuses on how the ASEAN member countries were socialized over time, through the set of norms presented to them in the “ASEAN Way”. In other words, the latter school of thought conceptualizes the “ASEAN Way” as a set of norms which are deemed as “morally right” or “appropriate”, from the societal viewpoint of ASEAN’s member countries. In other words, studies which belong to this school of thought attempt to explain the behavioral patterns of ASEAN’s member countries based on the logic of appropriateness.

The focus on morals and societal values adopted by the latter school of thought, causes it to differ from the former school of thought in the following way. While the former school of thought analyzes and evaluates the success of ASEAN within the objective lens of the organization’s institutional design (such as non-interference and consensus-seeking); the second school of thought relegates ASEAN’s success to the subjective sphere, where ASEAN’s member countries were each faced with the moral or social obligation to abide by the set of norms presented to them in the form of the “ASEAN Way”. Besides, this school of thought argues that it was through their obligation to abide by this set of “morally-right” norms, that ASEAN’s members were able to forge a collective identity for themselves. In the manner described above, while the two schools of thought within the field of ASEAN studies both employ the term “ASEAN Way” concurrently, they are each founded upon very different fundamentals.

The introduction of the “ASEAN Way” to the field of ASEAN studies was no doubt useful, in the sense that the basic framework of research on ASEAN itself has also become clearer than prior to the introduction of the “ASEAN Way”. On the other hand, however, it also remains a fact that the introduction of the

“ASEAN Way” has led to the emergence of several new problems to researchers. To begin with, a basic problem which prevails in the existing literature would be that ASEAN researchers, while eliciting the term “ASEAN Way” as an important concept, are basically unaware of the distinction between the two fundamentally different ways in which the concept has been utilized. Due to this general lack of awareness, researchers are oblivious to the fact that although the same term “ASEAN Way” is being used in different studies, the approach adopted in each of these studies could be fundamentally different. Therefore, it makes little sense to draw parallels between studies where the basic understanding of the term is not the same. On top of that, an even more important problem that warrants our attention would be the fact that regardless of whether the “ASEAN Way” is being perceived as an institution or whether it is being perceived as a set of norms, there are analytical problems specific to each of these two approaches, which have to be addressed. In the sections that follow, I will discuss the appropriateness of the concept of “ASEAN Way”, while making conscious effort to draw a line of distinction between the school of thought which focuses on the “ASEAN Way” as an institution, and the school of thought which focuses on the “ASEAN Way” as a set of norms.

III. “ASEAN Way” as an institution: the need for comparative analysis

(1) Defining the problem

This section will address the first school of thought, which focuses on the institutional aspect of the “ASEAN Way”. It is my argument that when dealing with the institutional aspect of the “ASEAN Way”, there is the need to first compare the institutional design of ASEAN with that of other regional or international organizations, in order for effective analyses to be made.

As explained previously, the majority of research on ASEAN tends to treat the “ASEAN Way” as being unique to ASEAN (Sharpe, 2001; Tuan, 1996). In other words, the existing literature links ASEAN’s successes and failures to the unique rules that govern the organization’s members. However, if we were to

compare the “ASEAN Way” with the institutions prevalent in other regional or international organizations, it would be easy to see that there is no element in the “ASEAN Way”, which makes this set of rules special to ASEAN itself⁽²⁾. Consider, for example, the principle of non-interference. Even if we were to ignore the case of the United Charter, it is easy to find examples where this principle has been formally adopted by other regional organizations in the developing world, such as the OAU (Organization of African Unity); ECOWAS (Economic Community of West African States); SAARC (South Asian Association for Regional Cooperation); and the League of Arab States. Now, what about the principle of consensus-seeking in decision-making? It must be said that this principle has been widely applied by most international organizations, especially with regards to the sphere of national security. Even “non-official diplomacy”, which has often been assumed as being characteristic of ASEAN, is definitely not unique to the organization. This is especially true, if we were to consider other regional organizations in the world, especially those comprised of less developed nations (Haftel and Thompson, 2006). From the viewpoint of cross-regional comparative analysis, ASEAN is not really an informal organization, in the true sense of the word.

The fact that the set of rules so commonly termed as the “ASEAN Way” is actually not unique to the region has not been brought to light in the existing literature, due to the lack of comparative studies. I firmly believe that analyses conducted under the overly-simplistic assumption that the institutional design of ASEAN is unique to the region, are flawed. In particular, two flaws will be brought to attention here.

The first flaw has to do with the question of what category ASEAN should be placed within. In other words, existing studies tend to fall into the pitfall of confining their analyses to the narrow scope of other previous works which they are based upon. Broadening the scope of analysis to consider the factors which influence the degree of institutionalization of regional organizations; or the

2 Please see Acharya and Johnston (2007) for more details on comparative analyses on regional organizations.

differences in member countries' behavior caused by different degrees of institutionalization, may help to provide fresh insight on ASEAN (Koremenos et al., 2004). Alternatively, if we were to perceive ASEAN as being characteristic of a regional organization formed by developing countries, then broadening the scope of analysis to consider other similar regional organizations -such as those found in Africa and Latin America -could in fact provide insight that might be applicable to the case of ASEAN too. Previous studies on ASEAN, however, have failed to tap into the potential benefits of the types of studies I mentioned above. This is because they assume that ASEAN's behavioral rules are "unique" to the region. Naturally, such an assumption automatically rules out the possibility of considering studies on other regional organizations, or even studies on the topic of "regionalism" in general. In other words, it can be said that knowledge on ASEAN as we know it today has been accumulated within the narrow field of studies that deal with the jargon that is unique to ASEAN studies.

Another flaw which warrants attention has to do with the question of how justifiable the use of the "ASEAN Way" to explain all of ASEAN's successes and failures is. Put in simpler terms, existing studies have attributed ASEAN's successes to the "ASEAN Way", without doubting the authenticity of the link between the two. It has been acknowledged in the existing literature that ASEAN is "the most successful attempt at regional cooperation among developing countries", and that it is "the most successful regional organization in the world, after the EU". Such claims are perhaps true, indeed. For example, ASEAN's member countries have never experienced serious military conflicts among themselves, and have succeeded in building relationships among themselves that are based on mutual trust. Because of the stable diplomatic ties among ASEAN countries, the region has managed to achieve noteworthy economic development as a whole. Moreover, the success of ASEAN has even led to the emergence of broader attempts at cooperation, such as the ARF and the APEC, where ASEAN has been given an active role to play in. In this light, it is true that the performance of ASEAN as a regional organization has been exceptional, among developing countries in the world. However, as I have already pointed out, the

behavioral rules and the institutional design adopted by ASEAN's member countries are in no way "unique" to the region, if we were to compare them with the behavioral rules of other regional organizations comprised of developing nations. Since this is the case, then it is no longer justifiable for ASEAN's success to be explained solely in terms of the "ASEAN Way". Rather than linking ASEAN's success stories to the "ASEAN Way", a more down-to-earth approach would be to investigate the factors that allowed the "ASEAN Way" to thrive. In a search for these factors, comparative analysis between the ECOWAS (Economic Community of West African States) and ASEAN will be conducted in this article.

(2) Cross-regional comparative analysis

The reason why the ECOWAS was picked to be the object of comparative analysis with ASEAN, is that not only did the ECOWAS possess similar institution as that of ASEAN's, but that it also came to possess a set of entirely different rules, at a certain point in time. In the process of exploring the reasons which led to the sudden change in rules within the ECOWAS, I wish to explore the mechanism which allows mutual respect for the sovereign rights of other member states within a common regional organization, to be perpetuated.

By practicing respect for one another's sovereignty, ASEAN member countries have managed to create stable diplomatic ties among themselves, to the extent that they have even been labeled as a "security community". Similar to the case of ASEAN, the West African states that form the ECOWAS have also practiced mutual respect for one another's sovereignty, and have been labeled as a "zone of peace" (Kacowicz, 1998).

The ECOWAS was established in 1975 with the aims of abolishing tariff barriers to trade; allowing for the free flow of labor, capital and service; and achieving economic integration and harmonization among its member states. Like most other attempts at regionalization by developing nations, however, the performance of ECOWAS has been greatly lackluster. Nonetheless, despite its limited success in the area of economic cooperation, the political and national security aspects of the organization are worthy of analysis (Okolo, 1985; Asante,

1986).

In particular, the ECOWAS provided a forum for the head of states and foreign ministers of its member countries to gather. By allowing the political leaders of mutually opposing states to meet up on a regular basis, the ECOWAS certainly contributed to peace-talks which led to the resolution of conflicts, and the build-up of mutual trust among its members. Second, through the ratification of formal treaties, the ECOWAS contributed to the clarification of rules and norms among its members. One example would be the “Protocol on Non-Aggression” which was ratified in 1978. This protocol strongly encouraged the member states of the ECOWAS to refrain from the threat or use of force against the territorial integrity or independence of any member state, in any manner inconsistent with the purposes of the United Nations or the OAU. In particular, it emphasized on the respect for the territorial integrity and independence of its member states, in accordance with the OAU’s norms of non-interference and respect for territorial rights.

As a result, the institution of the ECOWAS took place mainly with the aim of achieving peaceful conflict resolution among its members, up to the 1980s. The tool which the ECOWAS used to achieve this, was the provision of a “platform” where the principles of non-interference and mutual respect for territorial rights -rather than the use of military force or mediation- as a means for conflict resolution, were reinforced. In reality, since the member states of the ECOWAS each possessed veto rights, and since most of the organization’s political decisions were decided based on consensus rather than formal voting, there was no element of supranationalism in the ECOWAS (Asante, 1986, pp.67-73). Moreover, the ECOWAS has, to a certain extent, succeeded in restraining military conflicts among its members. While mutual distrust and conflicts continued to exist among the members of the ECOWAS, it is noteworthy that these conflicts did not escalate into the scale of a war.

In this way, ECOWAS played a role that was similar to ASEAN’s, in the provision of a “platform” for the ministerial elites of its member countries to meet up on a regular basis. Also, in a way much similar to ASEAN, it promoted a set

common principles such as non-interference, which its members were strongly encouraged to abide by. However, after the 1990s, the ECOWAS began to adopt an entirely new set of rules which promoted democracy and good governance in its member states. In particular, the ECOWAS started to promote the spread of democracy within the region, by for example, the ECOMOG (Economic Community of West African States Monitoring Group) and surveillance of political voting; and by encouraging out-spoken criticism towards coup d'états (Gude, 2005; Akokapari and Azevedo, 2007). In this manner, the focus on mutual respect for sovereign rights experienced a decline in the ECOWAS, as compared to the case of ASEAN.

What then, are the factors which caused the institutions of the two regional organizations to differ? My conclusion is that it was the success or failure in the state-building process of their member states, which led to the ECOWAS and ASEAN to adopt behavioral rules that differed from each other's, eventually. In the case of post-independent ASEAN, most of its member states, being multi-ethnic countries, were plagued with a wave of domestic anti-government movements. In other words, it was domestic anti-government movements- much more than military conflicts with other countries in the region- that posed as an imminent threat to the national security of post-independent ASEAN countries⁽³⁾. However, anti-government movements increasingly ceased to exist, as the ASEAN member states each experienced rapid economic growth which led to the stabilization of their political situations at home. The governments of ASEAN's member countries were basically authoritarian in terms of political regime, thus making it difficult for their legitimacy to be secured, in terms of political participation by the public. However, the rapid economic development of ASEAN's member countries provided a concrete avenue through which they were able to gain legitimacy. The economic growth of ASEAN's member countries was especially evident during the latter half of the 1980s. As a result of this, (putting

3 See Collins (2003) for more details on security issues within ASEAN member countries.

aside the issue of whether or not ASEAN's member countries were successful at nation-building), it can be said that effective governance had indeed been realized within ASEAN's territorial confines. In other words, ASEAN's member states had succeeded in state-building.

In stark contrast to the case of ASEAN, while the ECOWAS' member states experienced fairly stable international relationships at the interstate level, the same cannot be said for their domestic situations. In fact, the domestic political situations of ECOWAS' members has been said to be the most unstable in the whole of Africa. The severity of the problem was in fact worsened, with the rise of collapsed states after the end of the Cold War. In particular, Liberia and Sierra Leone became collapsed states after the end of the Cold War. To this end, the political situation in the ECOWAS was one that was peaceful on the regional level -thanks to the emphasis placed on the principle of mutual non-interference-, but extremely unstable and volatile at the domestic level. In fact, the severity of the lack of political order within ECOWAS member states was so intense that it gave the West African states the reputation of being one of the most politically unstable regions (Kacowicz, 1998).

What is important, here, is the fact that the impact of one country's failure at state-building, -such as its becoming a collapsed state- would inevitably serve to de-stabilize the political situation of the entire region where it is located in. In other words, the rise of collapsed states in the ECOWAS exerted certain "negative spill-over effects" on the other countries in the region.

The first negative effect would be the exodus of refugees from these collapsed states. The large droves of refugees from collapsed states to other nations in the region within a short period of time had many negative repercussions on the latter. Examples include the worsening of public health; collapse of ethnic balance; inflow of militants and weaponry; and rise of obstacles to economic activities (Salehyan and Gleditsch, 2006). For example, the number of foreign refugees from Liberia to Sierra Leone; the Republic of Guinea; and Côte d'Ivoire rose to a high of about 750,000 people. This caused severe damage to the latter three countries. In addition to the problem of foreign refugees, civil

war in Liberia led to the proliferation of small arms and weaponry, raising the alert in neighboring countries of the possible spread of civil war (Kabia, 2009, p.79).

The second negative effect was the spread of civil wars, some of which were caused by the cross-border movement of refugees; while others were caused by the spread of political agitation from country to country. In particular, cases of successful anti-government demonstrations led by minorities in certain countries served to signal to minority groups in other countries that they might stand a better chance at fighting for their cause now (Lake and Rothchild, 1998, pp.25-29). On the other hand, a third effect would be the clear stagnation of economic growth within the region. The civil wars which took place within a country served not only to stagnate the growth of its economy, but also to reduce the volume of its trade with other countries and its inflow of foreign direct investment. These wars also served to hinder the attempts of countries to cooperate economically, and therefore led to an overall worsening of the economies of the region (Murdoch and Sandler, 2004).

The observations above tell us that bringing peace to a country where there is civil unrest would be beneficial not only to that country itself, but more importantly, to its neighboring countries as well. However, the role which a regional organization can play in resolving civil unrests is severely limited, so long as that organization is bound by the principles of mutual non-interference and consensus. In other words, if the ECOWAS continued to adhere to the above-mentioned principles, it would no doubt be able to preserve peaceful relationships among its member states at the regional level, but at the expense of losing control over the negative spill-over effects caused by civil wars within specific countries. This implies that the ECOWAS' role in preserving regional order would be greatly constrained, if it continued to adhere to the above-mentioned principles. Such a trend became increasingly evident at the end of the Cold War, and it led to the play-down of emphasis on principles such as mutual non-interference and respect for member states' sovereign rights within the ECOWAS. As the result of this, the ECOWAS evolved into an institutional

framework, where interference in the domestic affairs of its member countries took place on a rampant scale. Examples of such interference would be the dispatch of the ECOMOG to Liberia in 1990 and Sierra Leone in 1996; the dispatch of an electoral observation mission; and the declaration of the “political principles of the ECOWAS” in 1991. The member countries of the ECOWAS also began to make joint declarations on democratic principles which they were to adhere to, and to openly criticize the staging of coups d'états in the region.

In fact, the introduction of new principles such as democracy and respect for human rights into the ECOWAS was caused by the need for the organization to intervene in the civil wars that were on-going in Liberia and Sierra Leone at the time (Deme, 2005; Kabia, 2009). What this implies is that first there were civil wars, followed by their negative spill-over effects to other countries, which led to the need for the ECOWAS to intervene in terms of conflict resolution. In order for the ECOWAS to justify its interference in the civil disputes of its member states, there was the need for the organization to adopt a new set of rules altogether. The emergence of collapsed states and their negative spill-over effects caused the principle of mutual non-interference to lose its appeal within the ECOWAS. In its place came a new set of rules which served to justify the ECOWAS' intervention in the civil affairs of its member states.

To this end, although both ASEAN and the ECOWAS started off with a similar set of rules, this set of rules came to lose its appeal in the context of the ECOWAS, when collapsed states -and the negative spill-over effects associated with them- emerged.

(3) Implications for the debate on the “ASEAN Way”: Institution

A comparative study between ASEAN and the ECOWAS was conducted in the previous section. In fact, there are several interesting analyses which can be made from the study. First, by comparing the case of ASEAN and the ECOWAS, it can be said that the aspect that was truly “unique” about ASEAN was not the set of rules adopted by the organization per se, but rather, the fact that its relevance to the organization continued to persist into the long run. This was to a

large extent due to the successful state-building process of ASEAN's member states.

Second, based on the first implication, it can be said that the set of rules which has so often been assumed to be "unique" to the ASEAN was not the main contributing factor to the organization's success. Consider, for example, that while ASEAN's "internalization of the principle of non-interference" has been highly appraised, the same principle of non-interference has been dismissed as the cause of inability to bring about conflict resolution in the OAU (Wembow, 1994). The crucial factors which determine whether the principle of mutual non-interference can remain relevant to an organization over the long term would be the degree of its member states' success at state-building; and whether or not negative spill-over effects which have the potential to destabilize peace and order within the region are present. These implications imply the need to re-evaluate previous studies, where the success of ASEAN has been explained solely in terms of the "ASEAN Way".

Third, -as will be further elaborated in the following section of this article- while previous studies have attributed ASEAN's success to the ASEAN Way, it is rather ASEAN's success which gave rise to the concept "ASEAN Way". (Put simply, ASEAN's extraordinary success caused the set of norms adopted by the organization to be seen as "unique" to the region). In the first place, conditions such as successful state-building were favorable to the adoption of the principle of mutual non-interference within ASEAN. Consequently, as ASEAN's member states made attempts at regional cooperation under the above-mentioned principle, the institution based upon this principle came at a certain point in time, to be advocated as the "ASEAN Way". What this means is that the set of norms adopted by ASEAN is not unique to the region per se, but rather came to be advocated in such a light, due to the noteworthy success of the organization at regional cooperation under this set of norms. Another implication of the above observation would be that the set of norms known as the "ASEAN Way" was in no way unique to ASEAN. Rather, the reason why this set of norms came to warrant special attention, was due to the fact that ASEAN thrived as a regional

organization while complying to it. This process will be explained in the following section.

In the above light, the concept of the “ASEAN Way” can be said to be similar to that of “developmentalism”. The economic development of East Asian Countries has often been conceived as the result of “developmentalism”; where the governments of these countries intervened in their economies in a plan-rational manner (Woo-Comings, 1999). However, it is difficult to pin-point exactly which East Asian country adopted “developmentalism” and which did not. For this reason, the success of East Asia has on the general, been attributed to the umbrella term known as “developmentalism” (Fritz and Menocal, 2007). In a similar way, the principles of mutual non-intervention and consensus-seeking -which have come to be known as the “ASEAN Way”- were not unique in themselves. Rather, what was unique about these principles, was the fact that ASEAN achieved noteworthy success while complying to them.

Finally, I would like to provide a suggestion as to the manner in which research on the “ASEAN way” as an institution should be conducted in the future. In my view, what is truly important here, should be the discovery of the elements of the “ASEAN Way” which are truly unique to ASEAN. This may be achieved by conducting comparative analyses between the case of ASEAN, and that of other regional organizations. Such an endeavor would require us to go one step beyond the general concepts of “non-interference and consensus-seeking”, and to increase the clarity of the analyses conducted. In particular, the “diplomatic techniques” of ASEAN are in need of clarification.

IV. The “ASEAN Way” as a set of norms: The need for empirical analysis

(1) Defining the problem

This section deals with existing studies where the “ASEAN Way” has been perceived as a set of norms particular to the member countries of ASEAN. The bulk of these studies are based on the theory of constructivism in IR. According to these studies, through years of negotiations, the member countries of ASEAN

came to internalize, or to perceive, the concepts of mutual non-interference and consensus-seeking as their own set of norms. In addition, this set of norms also provided the member countries of ASEAN with a collective identity of their own, and allowed ASEAN to become a budding security community (Acharya, 2001).

With regards to this group of existing studies, it is not so much the “uniqueness” of the set of norms which poses as a problem. What is important here is not so much the argument of the researcher, but rather the perceptions of the actual actors involved. This is because according to this group of studies, the actors involved in ASEAN’s diplomatic relations internalized the “ASEAN Way” as their own personal set of behavioral norms. Therefore, the focus of these studies is not so much on the “ASEAN Way” as an “institution”, but rather, the “ASEAN Way” as a “concept”, or a “term”. For example, Busse argues that slogans such as the “the spirit of ASEAN”; “doing things the ASEAN way”; and the “think ASEAN” came to become increasingly generalized among ASEAN’s diplomatic partners, over the years of ASEAN’s development (Busse, 1999, p.54).

Studies of this nature have come to occupy a substantial portion of ASEAN studies over the recent years. As compared to the literature on other regions in the world, international political research on Southeast Asia has, to a far extent, been dominated by the constructivist view. However, the main question here is, whether there really was a process where the member countries of ASEAN came to internalize the “ASEAN Way” as their own unique set of norms; and if yes, how its existence can be proven empirically. Put in more specific terms, the existing studies which fall into the above category are subject to the danger of tautology. Scholars who have contributed to this field of studies first start off their analyses with the assumption that ASEAN countries are bound by a set of norms. Based on such an assumption, they proceed to explain the behavioral patterns of ASEAN’s member countries within certain specific case studies. However, the effectiveness of the “ASEAN Way” cannot be verified within the scope of these analyses. As a related side note, Khoo has launched a critique on the use of constructivist ideology in ASEAN studies, by posing the simple question of which norms (if any) we should focus on while studying ASEAN. Moreover, he even

went one step further to pose the question of why we should accept that a particular scholar's set of norms are the operative ones within ASEAN (Khoo, 2004, p.38).

There are several possible methods through which the internalization of norms by ASEAN's member countries, and the existence of an "ASEAN identity" can be proven. One example would be to raise a non-rational form of behavior adopted by an ASEAN member country, and to explain it in terms of ASEAN's behavioral norms. However, given the importance of emphasizing on the ways in which the actors of ASEAN perceived (or recognized) this set of norms, it is crucial that special attention be paid to the actual speeches or remarks made by these actors. The following section will focus particularly on discourse analysis that is of this nature.

(2) Discourse Analysis on the term "ASEAN Way"

The aim of this sub-section is to investigate how exactly the "ASEAN Way" was being perceived by the actors of ASEAN. When seen from the perspective of the actual actors involved (such as the foreign ministers of ASEAN's member countries), does the "ASEAN Way" really bear the theoretical meaning that is provided by the constructivist framework? Up till now, existing studies, -while having placed great emphasis on the "ASEAN Way"- have been largely based on the analytical concept defined by scholars. These studies have not really spared much consideration to the actual perceptions of the actors involved. When and where did the term "ASEAN Way" make its first public appearance? And in what form of rhetoric? Alternatively, was the "ASEAN Way" coined by researchers?

As an answer to the above question, the term "ASEAN Way" was first used (1) in the earlier half of the 1990s; by (2) the actual actors involved in ASEAN's diplomatic relationships. The following are some factual evidence to prove this. The term "ASEAN Way" has not been mentioned in any of the official accords concluded by ASEAN's member countries. In order to discover the manner in which the term has been used by the actors actually involved in ASEAN's diplomatic relationships, I conducted a survey of all the opening and closing

statements of ASEAN's foreign ministerial meetings, starting from the first foreign ministerial meeting ever since the establishment of ASEAN itself, up to the present date. The aim of this exercise was to make a list of all the incidences when the term "ASEAN Way" was publicly mentioned⁽⁴⁾. The survey revealed that the term "ASEAN Way" came to be used on a frequent basis, since the 1990s. In other words, the term "ASEAN Way", while making a public appearance once in 1974 and 1989 respectively, came to be used rampantly by the ministers of ASEAN member countries ever since the start of annual foreign ministerial conventions in 1994. The sudden increase in the number of public references to the "ASEAN Way" is striking. Second, during his visit to ASEAN in 1993, Prime Minister Miyazawa of Japan remarked in his speech that he had heard of the existence of the "ASEAN Way" before (*Asahi Shimbun*, 4th June 1993). What this tells us is that the concept of the "ASEAN Way" had in fact become known to actors external to the region itself, by 1993. Third, the media also began to use the term "ASEAN Way" in the early 1990s, to refer to the traditional way of ASEAN. The above observations tell us that the term "ASEAN Way" was first used by the actual actors involved in the early 1990s. As compared to this, the use of the term in academic literature only began to gain prominence in 1995 and after. This means that the term was first coined by the actors involved in ASEAN's diplomatic relationships, rather than by scholars.

What is important to our discussion here, is why there was the need for the actors involved to refer to the "ASEAN Way" as a set of traditional norms. Also, why exactly did the political actors involved in ASEAN's diplomatic relationships begin to make use of the term "ASEAN Way" so frequently in the 1990s?

The term "ASEAN Way" made its first appearance in public discourse in the early 1990s, during ASEAN's participation at broader attempts at regional cooperation such as the APEC and the ARF. It was cited by the foreign ministers of ASEAN's member countries during public discussions at the APEC and ARF,

4 The full collection of political discourses recorded during the annual ministerial conventions held between 1967-1986 can be found in ASEAN Secretariat (1987).

as a form of “appeal” to external actors that ASEAN had a certain characteristic way of dealing with its diplomatic relations. For example, Singapore’s Foreign Minister Jayakumar remarked during the foreign ministerial convention of 1995 that Traditional Southeast Asian values such as *Musyawah*(consultation) and *Mufakat*(consensus) - in other words consensus-seeking - would continue to form the basis for diplomatic ties among Southeast Asian Countries in the future. He also observed that the “ASEAN Way” - which is based upon such principles - plays an important role in upholding peace in both Southeast Asia as well as the Asia Pacific region (ASEAN Secretariat, 1995, pp.16-17).

Subsequent to the “ASEAN Way” would be the use of the term “Asian values”. This term was cited frequently by the leaders of Singapore; Malaysia; and Indonesia, in opposition to Western values such as human rights and democracy. In particular, the concept was used by ASEAN’s member countries to justify their refusal to concede to the requests of Western countries for them to exert political pressure on Myanmar, who was at that time facing domestic issues with human rights and democracy. For example, a Malaysian official justified their way of responding to the Myanmar crisis, by stressing a preference “to do things quietly, the ASEAN way, so as to give face to the other side”. Mirroring the rhetorical patterns of Malaysia would be the case of Indonesia, whose Foreign Ministry official argued that “We are telling them very quietly, in a Southeast Asian way, without any fanfare, without any statement.” (*Straits Times*, August 26, 1992). In this manner, the term “ASEAN Way” was used by ASEAN’s member countries to justify their non-interference in the domestic issues of Myanmar, which was at that time a non-ASEAN member country.

However, the term “ASEAN Way” only became rampantly used by the political leaders of ASEAN’s member countries in the latter half of the 1990s. This was due to a series of political debates among ASEAN’s member countries during the late 1990s, regarding issues such as the manner in which Myanmar’s domestic issues should be dealt with; and the framework of norms which ASEAN’s member countries should adopt. These arguments often took place between member countries such as Thailand and the Philippines, -who were

among the first of the member countries to democratize- and the rest of the ASEAN member countries (Haacke, 1999). In particular, Thailand and the Philippines advocated that ASEAN should adopt a pro-active stance in helping to resolve the domestic issues of Myanmar, which had by that time become a member of ASEAN. In order to support their argument, Thailand and the Philippines suggested that ASEAN should replace the principle of non-interference in member countries' domestic affairs, with that of "flexible engagement".

This was met by furious objection from the other ASEAN member states, who argued that the concept of "flexible engagement" was in essence contradictory to the traditional norms of ASEAN. Such objections caused Thailand and the Philippines' proposal to be eventually rejected. One example of such an objection would be during the ASEAN foreign ministerial meeting held in July 1998, where the foreign ministers of Singapore and Indonesia remarked that ASEAN had "remained strong, even in times when there were disputes between two member countries"; and that ASEAN's success could be attributed to the fact that ASEAN's way of conflict-resolution was non-official and based on consensus-seeking (*Straits Times*, July 25, 1998). In fact, official public discourses such as the above, which sought to reconfirm the basic founding principles of ASEAN, were extremely common during this period of time. In other words, the term "ASEAN Way" was used by the more conservative members of ASEAN, as a way to defend the principles of mutual non-interference and respect for sovereign rights, as opposed to the proposal of the more "progressive" members to replace these principles with new principles such as respect for human rights and democracy.

The important point to note here is that the principles of mutual non-interference and consensus-seeking, which belong to the set of norms known as the "ASEAN Way", were not the result of lengthy periods of discussion among ASEAN's member countries, but rather a form of defensive rhetoric used by the conservative members of ASEAN, to protect the traditional stance of the region. In other words, the "ASEAN Way" was conceptualized via the rhetorical

arguments, or confrontations, of ASEAN's member countries.

It was precisely due to this fact, that the number of uses of the term "ASEAN Way" declined substantially after the democratization of Indonesia in the late 1990s. After the democratization of Indonesia, the only member countries left in favor of the principles of non-interference were the new member countries such as Vietnam and Myanmar. Since countries such as Indonesia and Malaysia- who had been strong advocates of the principle of mutual non-interference in the 1990s- were now in favor of democracy, the concept of the "ASEAN Way" seemed to lose its appeal on the whole.

Generally speaking, it must first of all be noted that the term "ASEAN Way" made the largest number of public appearances during the late 1990s, when debates among ASEAN's member countries on whether flexible engagement policy should or should not be adopted were in the midst of taking place. The frequency of the term's appearance in public discourse declined substantially, however, after the 1990s. A second important point to take note of, would be the fact that even if the term did make an appearance in public discourse after the 1990s, this was during events such as the EPG (Eminent Persons Group) report which was held with the intention of creating a draft for the ASEAN charter, in these events, the "ASEAN Way" was perceived as something to be overcome, and therefore given a negative connotation. In other words, whenever the ASEAN Way was being referred to after the 1990s, it was perceived by the political actors involved as being outdated and to be overcome, rather than as something favorable to be preserved. It is important to note that the manner in which the concept of the "ASEAN Way" was being perceived differed dramatically during the 1990s and in the period after that.

The above observation stands as further evidence to the fact that the concept of the "ASEAN Way" was strongly related to intra-ASEAN debates regarding the set of behavioral rules which the organization should adopt.

(3) Implications for the debate on the "ASEAN Way": Norms

The conceptualization and usage of the term "ASEAN Way"- by the actual

actors involved in ASEAN's diplomatic activities- have been outlined in the section above. Based on this discussion, we can infer that the arguments of previous scholars such as Busse (1999) are to a certain extent flawed empirically. In fact, the "ASEAN Way" was not a symbol of the unity of ASEAN's member countries. Rather, contrary to this common assumption, it was a concept that emerged from the confrontations, or disagreements, of ASEAN's member countries.

Such a finding bears several important implications to the study on ASEAN. First of all, it throws the constructivist assumption that the adoption of a common set of rules helped to forge a common "ASEAN identity", into doubt. Of course, the fact that a common ASEAN identity did in fact exist, cannot be refuted by the above argument alone. However, the argument does indeed suggest the need for us to pay more attention to the fact that the "ASEAN Way" was in fact conceptualized by the conservative bloc of ASEAN countries as a means to justify the conventional principles of mutual non-interference and respect for sovereign rights of member countries.

The second implication has to do with recognizing the fact that there is a dichotomy between the analytical definition of the "ASEAN Way" cited by researchers, and the political definition of the "ASEAN Way" cited by politicians (The latter refers explicitly to the opposition of ASEAN member countries towards the political suggestions of Western countries; as well as the opposition of conservative ASEAN member countries towards the suggestions of the more progressive ASEAN member countries). This implication becomes all the more relevant when the theory of constructivism is applied, since constructivist theories tend to be based upon the recognition of a common identity by the political actors involved. ASEAN studies that fail to consider the political rhetoric or discourses of the actors involved, may be subject to a theoretical pitfall where there is in fact a rift between the "ASEAN Way" as understood by scholars and the "ASEAN Way" as understood by politicians. It is beyond the aim of this article to argue that the realist school of thought or the English school of thought are more appropriate than constructivism, as the theoretical framework within which

ASEAN studies should be based. Rather than arguing about the degree of appropriateness of competing schools of thought in IR, the point of the discussion here is that there is the need for scholars to pay more attention to the actual political discourses of ASEAN's leaders, when carrying out their research.

V. Conclusion

In conclusion, the authenticity of the analytical concepts of the "ASEAN Way" has been analyzed throughout the course of this article, within two specific categories: the "ASEAN Way" as an institution; and the "ASEAN Way" as a set of norms.

With regards to the former category of studies which focuses on the institutional design of ASEAN, I have pointed out the need to conduct comparative studies between the case of ASEAN and that of other regional organizations. For example, by making comparisons between the ECOWAS and ASEAN, I have exemplified that the institutional design of ASEAN is not in anyway unique to the organization. Rather, what is unique about the institutional design of ASEAN, is the fact that its relevance to the institution persisted over the long run. Moreover, it was shown that the factor which determined why the relevance of ASEAN's institutional design persisted, while that of the ECOWAS did not, was due to the failure of state-building in the latter. This led to the rise of collapsed states, which had a negative spill-over effect on the other countries within the ECOWAS.

On the other hand, the latter category of studies focuses on the process where ASEAN's member countries are said to have "internalized" the behavioral norms laid out by the "ASEAN Way". Existing studies which fall into this category also claim that the behavioral norms which comprise the "ASEAN Way" provided ASEAN's member countries with a collective identity of their own. With regards to the above claims, I have pointed out the lack of actual evidence to prove their authenticity. In particular, when actual analysis was conducted on the political rhetoric of the actual actors involved in ASEAN's diplomatic relationships, it was

found that the way in which these actors perceived the “ASEAN Way” actually differs from the way in which scholars have perceived it.

The main contribution of this article has been to organize the various ways in which the concept of the “ASEAN Way” has been employed in existing studies on ASEAN; as well as to shed light on the existing problems related to the use of the concept. The “ASEAN Way” has indeed served as a very useful concept to the field of ASEAN studies. The next task which scholars in this field should pursue, would be to build-up on the reliability of the concept, through conducting cross-regional comparative analysis and actual discourse analysis.

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