اينستيتوت ڤڠاجين اسيان



Absorbing External Shocks: ASEAN's Approach to Regional Stability

Mikio Oishi

Universiti Malaysia Sabah

Working Paper No. 34

Institute of Asian Studies, Universiti Brunei Darussalam
Gadong 2017

Editorial Board, Working Paper Series

Professor Lian Kwen Fee, Institute of Asian Studies, Universiti Brunei Darussalam.

Dr. Koh Sin Yee, Institute of Asian Studies, Universiti Brunei Darussalam.

Author

Mikio Oishi is an Associate Professor at Faculty of Humanities, Arts and Heritage, Universiti Malaysia Sabah. His primary research is in the field of Peace and Conflict Studies and International Relations. Professor Mikio's current research interests include: the new ASEAN Way of conflict management; managing territorial disputes in East Asia; the Shanghai Cooperation Organisation as a conflict management regime; and the Pax Sinica (peace by China).

Contact: mikio.oishi@ums.edu.my

The Views expressed in this paper are those of the author(s) and do not necessarily reflect those of the Institute of Asian Studies or the Universiti Brunei Darussalam.

© Copyright is held by the author(s) of each working paper; no part of this publication may be republished, reprinted or reproduced in any form without permission of the paper's author(s).

Absorbing External Shocks: ASEAN's Approach to Regional Stability

Mikio Oishi

Abstract:

Since time immemorial, Southeast Asia has been exposed to external influence, which has sometimes appeared as shocks with negative effects. In post-independent Southeast Asia, the destiny of regional states and regional stability are inexorably intertwined. Thus, it is imperative that the region develop the capacity to effectively cope with external shocks stemming from different sources. This paper aims at identifying this capacity by looking at three contemporary cases of external impact: (1) the South China Sea dispute; (2) the Western pressure on Southeast Asia for the domestic conduct of the Myanmar government; and (3) the impact of the newly established international norm of the responsibility to protect (R2P) on Southeast Asia. The concept of mediation regime is adopted as an analytical tool for the case studies. Among the major findings of the paper are: (1) that Southeast Asia has developed the capacity to absorb external shocks in several ways unique to itself; and (2) that the region also acquired other capabilities to cope with the shocks, such as preventing external shocks, ensuring the co-existence of incompatible positions of the parties and deflecting external shocks.

Keywords: regional stability, mediation regime, shock absorption, shock prevention and deflection, politics of ambiguity

List of IAS Working Papers

- 1. King, Victor T., Culture and Identity: Some Borneo Comparisons. Working Paper No. 1 Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2012.
- 2. Evers, Hans-Dieter and Solvay Gerke, Local Knowledge and the Digital Divide: Focus on Southeast Asia. Working Paper No. 2. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2012.
- 3. King, Victor T., Borneo and Beyond: Reflections on Borneo Studies, Anthropology and the Social Sciences. Working Paper No. 3. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- King, Victor T., UNESCO in Southeast Asia: World Heritage Sites in Comparative Perspective. Working Paper No. 4. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- Purwaningrum, Farah, Knowledge Transfer Within an Industrial Cluster in the Jakarta Metropolitan Area.
 Working Paper No. 5. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- 6. Evers, Hans-Dieter, Ndah, Anthony Banyouko & Yahya, Liyana, Epistemic Landscape Atlas of Brunei Darussalam. Working Paper No. 6. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- 7. Carnegie, Paul J., Is the Indonesian Transition a Model for the Arab Spring? Working Paper No. 7. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- 8. Lian, Kwen Fee, Citizenship Regimes and the Politics of Difference in Southeast Asia. Working Paper No. 8. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2013.
- 9. Purwaningrum, Farah, Ariff Lim, Syamimi, Evers, Hans-Dieter & Ndah, Anthony Banyouko, The Governance of Knowledge: Perspectives from Brunei Darussalam and Malaysia. Working Paper No. 9. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2014.
- Facal, Gabriel, Hyper-centralization of Political Power and Fragmentation of Local Authority Networks in Banten (Indonesia). Working Paper No.10. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2014.
- 11. Hussainmiya, B.A. and Mail, Asbol Haji, "No Federation Please-We Are Bruneians": Scuttling the Northern Borneo Closer Association Proposals. Working Paper No.11. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2014.
- 12. Abdul Hakim, Mufidah. Pengangun as Ritual Specialist in Brunei Darussalam. Working Paper No.12. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2014.
- 13. Bensaoud, Mariam. Between R2P and the ASEAN Way: The case of Myanmar's Cylcone Nargis. Working Paper No.13. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 14. Abdul Razak, Nurul Umillah Binti, Anuar, Adira Rehafizzan Binti, Pg. Mohd Sahar, Dk. Siti Nurul Islam Binti & Matsuni, Nur Hidayah Binti. Domestic Maids in Brunei: A Case Study. Working Paper No.14. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 15. Ibrahim, Zawawi. From Island to Nation-state Formations and Developmentalism: Penan Story-telling as Narratives of 'territorialising space' and Reclaiming Stewardship. Working Paper No.15. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.

- 16. Bui, Cuong The. Social Stratification in the Southeast Region of Viet Nam. Working Paper No. 16 Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 17. Sagoo, Kiran. Reconsidering Ethnicity: Classification and Boundary Formation. Working Paper No. 17. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 18. Ibrahim, Zawawi. Disciplining Rock Music and Identity Contestations: Hybridization, Islam and New Musical Genres in Contemporary Malaysian Popular Music. Working Paper No.18. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 19. Shui, Kong Ho. Digital Memoir of the South China Sea. Working Paper No. 19. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2015.
- 20. Ullah, AKM Ahsan; Yusof, Yusnani Mohamed; D'Aria, Maria. How safe is Safe? 'Safe migration' in Southeast Asia. Working Paper No. 20. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 21. Oishi, Mikio. Co-existing Differences: Towards an East Asian Way Of Incompatibility Mangement. Working Paper No. 21. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 22. Carnegie, Paul J. Of Social Imaginary and Violence: Responding to Islamist Militancy in Indonesia. Working Paper No. 22. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 23. Rosidi, Imron. Being Active Consumers: Indonesian Muslim Youth Engaging With Korean Television Dramas. Working Paper No. 23. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 24. King, Victor T. Convergence and Divergence: Issues of State and Region in Tourism Development in Malaysian Borneo, Brunei Darussalam and Indonesian Kalimantan. Working Paper No. 24. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 25. Dhont, Frank, Marles, Jane E. & Jukim, Maslin. Memories of World War II: Oral History of Brunei Darussalam (Dec. 1941-June 1942). Working Paper No. 25. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 26. Chu, Ta-Wei. Contestation between Riparian People and States: The Sesan River Hydropower Projects, Cambodia. Working Paper No. 26. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 27. Nugroho, S. Post-Authoritarian Discourses of "Indonesia" in Television Commercials. Working Paper No. 27. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2016.
- 28. Hamdi, Muhammad Faiz Zul, Abdullah, Norhidayah, and Narudin, Hazimatula Diyana. Space, Place, and Identity: How Migration have Transformed Kampong Ayer. Working Paper No. 28. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.
- 29. Chin, Wei Lee. Tourism, Communities, and Quality of Life Indicators in Bali. Working Paper No. 29. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.
- 30. Jetin, Bruno. "One Belt-One Road Initiative" and ASEAN Connectivity: Synergy Issues and Potentialities. Working Paper No. 30. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.
- 31. Maier, Hendrik M.J. Silent the Sea, Writing the Shores Traveling over the South China Sea. Working Paper No. 31. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.

- 32. Hoon, Chang-Yau. Between Hybridity and Identity: Chineseness as a Cultural Resource in Indonesia. Working Paper No. 32. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.
- 33. Forbes, Vivian Louis. Re-framing the South China Sea: Geographical Reality and Historical Fact and Fiction. Working Paper No. 33. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.
- 34. Oishi, Mikio. Absorbing External Shocks: ASEAN's Approach to Regional Stubility. Working Paper No. 34. Gadong: Institute of Asian Studies, Universiti Brunei Darussalam 2017.

Absorbing External Shocks: ASEAN's Approach to Regional Stability

Mikio Oishi

INTRODUCTION

Southeast Asia has long been open to external influence, especially from Chinese, Indian and Islamic civilizations, resulting in the cultural, religious and demographic diversity of the region. The advent of Western colonization added to this diversity and generated hybridity between the indigenous elements and Western ones (Chong 2012: 89). This tendency of openness, diversity and hybridity has continued to date in the region and is reflected, among others, in its political practice (Kausikan 2016). Particularly interesting is the manner in which this region copes with the impact of external forces on its own political affairs. Such impact has frequently caused tensions, contradictions and dilemmas within Southeast Asia, but the region has managed to meet these challenges fairly well at least in the post-Cold War era, revealing its own unique characteristics.

This paper identifies these characteristics and suggests a shock-absorbing capability, which can be considered as crucial to maintaining the stability and resilience of Southeast Asia. The paper investigates three recent cases in which external forces have strongly impacted Southeast Asia in one way or another. They are: (1) the South China Sea dispute; (2) the Western pressure on ASEAN for the domestic conduct of the Myanmar government; and (3) the impact of the newly established international norm of the responsibility to protect (R2P) on ASEAN.

The paper first provides the theoretical framework for the analysis of these cases. This task is performed by expanding the concept of mediation regime, which I have developed originally to analyze the efforts to manage conflict in East Asia, including Southeast Asia. After conducting

three case studies and building on findings and insights from them, the paper discusses Southeast Asia's capacity to absorb shocks from external sources.

Theoretical Framework: Re-Formulating the Concept of Mediation Regime

I have already proposed the concept of mediation regime for the purpose of understanding the efforts to manage conflict in the East Asian region, Southeast Asia included (Oishi 2014: 708-711; Oishi 2015a: 12-15), by building on the concept of international regime, which is defined by Stephen Krasner as a set of "principles, norms, rules and decision-making procedures around which actor expectations converge in a given issue-area" (Krasner 1983:1). International regimes can be created to deal with international or transnational issues and problems of the contemporary world, such as climate change, narcotic trafficking, and nuclear proliferation (Gordeeva 2014; Emmers 2007; Tzeng 2015).

To create the concept of mediation regime, I have incorporated the functions of conflict management into international regime. Building on constructivist interpretations of international regime (Hasenclever et al. 1997: 163), the functions of conflict management can be categorized into regulative and constitutive functions. The former aims to ensure that the parties conduct themselves peacefully, not resorting to physical force in their attempt to settle conflict, and includes the short-term crisis management and mid-term relationship management (Singhaputargun 2015: 115). The latter is concerned with how to frame the issues involved, especially incompatibilities and contradictions as constituting the core of conflict. They usually appear as mutually clashing positions or goals of the parties, but the constitutive functions open the possibility that they can be re-framed for better management (Oishi 2015a: 13-14).

Figure 1 shows how the mutually incompatible positions of two parties are turned into new positions that do not contradict each other (integration) or made to exist side by side with each other despite incompatibility (co-existence) as a result of the two functions of mediation regime.

This paper re-formulates the concept of mediation regime in order to explain the capacity to absorb tensions and shocks that have been generated as a result of external impact, as is shown in Figure 2.

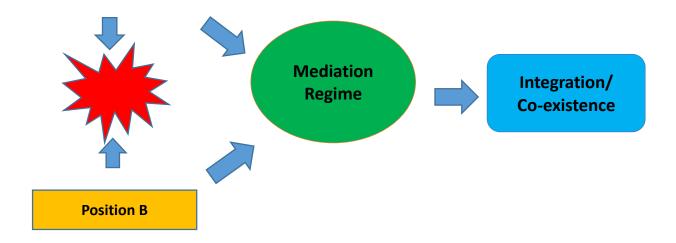


Figure 1. Working of Mediation Regime



Figure 2. Mediation Regime's Shock Absorption Function

This re-formulation is possible, as the regulative functions of mediation regime imply that the regime possesses the capacity to absorb these destabilizing elements by controlling the behavior of the parties, especially in times of crisis, while the constitutive functions suggest that the regime performs the same by managing or modifying contradictions or incompatibilities that may arise.

A major departure from the original concept of mediation regime is that the revised concept is regarded as reflecting an inherent quality of post-Cold War Southeast Asia rather than a purpose-built construct as is assumed in its original concept. In the latter, human made mechanisms of absorbing tensions and shocks, largely encapsulated by the Association of Southeast Asian Nations (ASEAN), are highlighted, while in the former, the absorbing capacity is sought in the political

culture of the region, which reflects norms, values and practices of regional polities, both inside and outside the institutional contours of ASEAN. A second change from the original concept of mediation regime is that it is applied only to external impact, such as that from China, the U.S. and the European Union. These external actors may or may not be parties to conflict, but serve as sources of external impact. On the other hand, the original concept is predicated exclusively on the parties to the conflict, but conflict may generate not only problems caused by external parties but also internal issues generated by the parties from within Southeast Asia.

Using the modified concept of mediation regime as a theoretical lens, the three issues will be investigated in the following sections.

Management of the South China Sea Dispute

The dispute in the South China Sea (SCS), which is increasingly in the international lime light these days, involves four mutually related issues: (1) sovereignty, (2) hydrocarbon resources, (3) fish resources and (4) freedom of navigation (Oishi 2015b: 159-161). Each of them possesses sources of conflict or incompatibilities. While the second and third issues have triggered confrontations and stand-offs among the disputing countries, particularly between China and the Philippines and between China and Vietnam, the fourth issue is increasingly the bone of contention between China and the U.S. Underlying these issues is the first one, which generates the fundamental incompatibilities among the six claimant parties of China, Taiwan, Vietnam, the Philippines, Malaysia and Brunei Darussalam.

While the internal impact of the SCS dispute on Southeast Asia has been generated mostly among the Philippines, Vietnam and Malaysia, the external impact has been felt strongly by the actions taken by China and the U.S. China's seemingly aggressive attitude and behavior in the SCS, shown in the China-Vietnam and China-Philippines stand-offs over the fishery and hydrocarbon resources in recent years and China's large-scale reclamation activities in several locations of the Spratly islands since 2014 in the face of international protests, especially from the Philippines, have raised tensions in the SCS and across Southeast Asia in general (Thayer 2015; Oishi 2015b: 172). The U.S. has also contributed to the volatile situation significantly since the then State Secretary Hilary Clinton on the occasion of 2010 ASEAN Regional Forum in Hanoi declared that it had an interest in preserving free navigation in the SCS, enraging China and

emboldening the Philippines and Vietnam in their attitude towards China (McCoy 2010). Thus, in an increasing tension in the SCS, the 2012 ASEAN Ministerial Meeting held in Phnom Penh failed to issue a joint communique for the first time in ASEAN's history due to disagreement among member states on the dispute. This fiasco not only generated a sense of urgency and crisis within ASEAN, but also rekindled the concern about its continued relevance as the primary caretaker of Southeast Asian affairs. To the further destabilization of the SCS, the U.S. since 2015 has dispatched navy vessels several times to the waters near China's reclamation sites in order to challenge the latter's claim on territorial waters around them.

These actions whether taken by China or the U.S. have seriously raised the temperature but, curiously enough, each of the maritime incidents has petered out after relatively short spikes of tensions. Two reasons for non-sustained tensions can be identified. First, the tensions on the ground have quickly been channeled into the diplomatic arena, where nonviolent battles could ensue. In this regard, ASEAN has provided the disputing parties with venues for such diplomatic rows before they fade out, while its member states have more or less kept a low key on such occasions in comparison with the two great powers. Second, differences among ASEAN member countries in their stance towards disputants such as China, the Philippines, Vietnam and the U.S. serve as the absorber of tensions. Cambodia and Laos are pro-China, the Philippines and Vietnam were tilted towards the U.S. until recently, while the rest is somewhere between the two poles. Tensions tend to be dissipated among these different positions in what may be termed the "politics of ambiguity" (Caballero-Anthony 2005: 108; Oishi 2015a: 12). Even the above-mentioned perceived blunder of the ASEAN meeting in Cambodia can be viewed in a positive light. That is, the division of ASEAN absorbed the tension between the Philippines and Vietnam on the one hand and China on the other, albeit at the risk of overstraining ASEAN's absorbing capacity.

Put differently, the current situation over the SCS dispute may be seen in terms of the interaction between the two systems of conflict management. The first system is a mediation regime system of absorbing tensions and shocks of the dispute. It basically reflects the ASEAN Way of conflict management (Askandar et al. 2002; Oishi 2015a: 4-6) with regional norms, values and practices functioning fairly well. The ASEAN claimants largely share these qualities with China, which can be considered as potentially positive contributor to a SCS mediation regime system (SCS-MRS), although its large size disproportionate to that of other claimants appears to

make it necessary for the constituent parties of the mediation regime system to forge new relations between the ASEAN countries and China.

Another conflict management system is alliance system, which aims to control the behavior of the parties with balancing and deterrence.¹ Apparently, the U.S. adopts this system to maintain stability in the SCS by controlling China's conduct. However, the SCS alliance system (SCS-AS) is poised to bring about a division among the ASEAN claimants and within ASEAN, generating inevitable tensions in the sea and region. This suggests that the SCS-AS aims to split the SCS-MRS while the SCS-MRS seems to be absorbing tensions and shocks as a result of the operation of the SCS-AS. Given that the spiked tensions tend to dissipate in the SCS after a while, the SCS-MRS may absorb the SCS-AS in the likely event that the U.S. will eventually withdraw its presence to the "second island chain" (Kaplan 2010).

Coping with the Western Pressure on ASEAN over the Domestic Conduct of the Myanmar Government

Until a former general of armed forces, Thein Sein was inaugurated as President of Myanmar in March 2011 as a result of a general election, the country had long been a major embarrassment to ASEAN. There were three sources of the country's unsavory reputation, all stemming from the domestic conduct of a long-ruling military government: (1) massacres by armed forces of the people who participated in nation-wide uprisings in 1988; (2) cancellation of the landslide victory of a general election in 1990 by the opposition National League for Democracy led by the country's democratic icon, Aung San Suu Kyi; and (3) house arrests of Aung San Suu Kyi, which extended to 15 years in total out of the 28 years of her political career (Oishi 2002; Collins 2013: 79-106). All of the three issues reflected a blatant violation of what the international community, especially the Western countries considered as the most essential ingredients of a member of the international community, i.e., respect for democracy and human rights. Since Myanmar was admitted into ASEAN in 1997, this regional organization has taken the brunt of international displeasure over what has been happening in Myanmar. Western economic sanctions against the country along with campaigns by international civil society to boycott it as a tourist and investment destination and

¹ Balancing and deterrence can be performed militarily or non-militarily. For the non-military type, see He (2008).

its products were felt severely by ASEAN, which feared punishments for the misconduct of its prodigal son (Keva 2008: 73-80).

As a result, given the intrinsic nature of Southeast Asia that it has historically been open to influences from outside, ASEAN has managed to cope with the huge Western pressure over the Myanmar problem since the 1988 uprisings by adopting two strategies. First, the regional organization gradually turned itself into what may be described as a "mediatory structure" (Oishi and Ghani 2015: 107-108), which served as a buffer between the Myanmar regime and the international community. Like the South China Sea dispute, the quality of absorbing and eventually dissipating tensions in Southeast Asia could be observed as functioning here, as identified in the tactics of ASEAN member states, such as dodging, foot-dragging, half-heartedness and non-response in the face of the Western complaints, mixed with occasional assertiveness (Oishi and Ghani 2015: 99-106). Coupled with a range of nuanced differences among ASEAN member states in their attitude towards the Myanmar government, these tactics served as mechanisms to absorb the external pressure on ASEAN as well as to protect the problematic regime from external impact, hereby buying time for it to accomplish necessary changes, required by the second strategy.

In the second strategy, ASEAN took several steps to remove the causes of the Western condemnation that existed within Myanmar. This task was pursued by enhancing the organization's capability to influence the domestic conduct of the Myanmar government without violating its own sacrosanct principles of non-interference in the domestic affairs of its member states, respect for their national sovereignty, and non-recourse to the use of force in settling differences among states (Haacke 2003: 1). Thus, ASEAN formulated specific Myanmar policies, starting with "constructive engagement", which was transformed through interim proposals for "constructive intervention" and "flexible engagement" into "enhanced interaction" (Haacke 2005: 189; Oishi and Ghani 2015: 93-96). By these policies, ASEAN first managed to embrace Myanmar and, capitalizing on trust and confidence generated subsequently between them as social capital, initiated an effective influence on the Myanmar regime for a better domestic conduct by activating specific instruments, 2 and for the eventual removal of the elements that the West had been

_

² Among the specific instruments employed in this strategy were: ASEAN foreign ministers retreat, extra-retreat constructive peer pressure, constant support of Myanmar in the international arena (Oishi and Ghani 2015: 96-99).

attacking (Oishi and Ghani 2015: 96-99). In this respect, the above-mentioned mediatory structure also served as a mechanism through which the Western pressure was converted into a gentler but more effective nudge on the regime.

ASEAN's Response to the Responsibility to Project (R2P)

When all the ASEAN member states endorsed one of the international norms of a new century, the responsibility to protect (R2P), at the United Nations World Summit 2005 in New York (United Nations General Assembly 2005: para. 138-140), the Southeast Asian region opened itself to potentially destabilizing impacts or shocks that would stem from the international community. The R2P stipulates that:

- 1. Every state has the responsibility to protect its own populations from genocide, war crimes, ethnic cleansing and crimes against humanity.
- 2. The international community has the responsibility to help such state in performing such responsibility.
- 3. The international community has the responsibility to intervene, even militarily if necessary, into a state if it fails to perform the above-mentioned responsibility (Bellamy and Drummond 2011).

The R2P squarely contradicts ASEAN's long-established principles of non-interference, state sovereignty and non-use of force in the management of regional affairs. These principles are considered as constituting the foundation of the region's stability, which has for a long time been based on maintaining the security of national governments. Thus, wittingly or unwittingly, ASEAN has embraced an alien substance that could cause pain to itself. As it is too late now for the region's primary organization to retract the R2P, the only way forward is to "ASEANize" it. This task has apparently been pursued by emphasizing the R2P's second pillar while de facto making void the third one. More specifically, ASEAN seems to be preparing itself to serve as a mediatory structure between the government of its member states and the international community in the manner similar to the one it acted to protect the pre-democratic Myanmar from the West's severe criticism. In so doing, the humanitarian situation in any of its member states would be addressed by ASEAN being in the driver's seat at the same time enlisting the help of the international community for particular expertise. It may successfully convince the latter that no

military interventions such as those to be mandated by the United Nations Security Council would be needed as long as ASEAN is in charge of the affairs of Southeast Asia.

Interestingly, the ASEANization of the R2P took a concrete form in a humanitarian crisis in the aftermath of Cyclone Nargis, which hit the central part of Myanmar in May 2008. The Myanmar authorities, which had initially rejected the offer of emergency relief by the international community, was confronted by ASEAN member states, which demanded the former to choose one of the three options:

- 1. Accepting the UN-led mechanism of relief and reconstruction operations in the country.
- 2. Working with ASEAN in creating the mechanism of the same operations.
- 3. Causing the international community to invoke the R2P and facing the consequences, including the forceful delivery of aid without the authorization of the Myanmar government (ASEAN Secretariat 2010: 38).

It is notable that ASEAN raised the possibility of the R2P being applied to Myanmar's humanitarian situation, which arose not from conflict, but from natural disaster, although the new international norm was meant for conflict. However, the core issue in the immediate post-Nargis situation in the country was its government's will and capability to protect its own people from a humanitarian tragedy as a result of the natural disaster. Thus, the activation of the R2P in such a situation was not ruled out by ASEAN nor by the international community.³

Facing the collective will of its ASEAN peers, the choice of the Myanmar government was the second option, which allowed the regional bloc to function as a mediatory structure between itself and the international community. This structure served, among others, as an interface between Myanmar and the international community, reducing the fear and suspicion of the military regime towards external powers and coordinating a wide range of activities taken up by the United Nations agencies and international NGOs (ASEAN Secretariat 2010: 37-40, 58). As was the case of ASEAN influencing the Myanmar government to bring about democratization, this function

15

³ In a meeting of the European Union held in the early period of the humanitarian crisis, a French representative proposed to the organization that R2P "be applied in the case of Burma" (Asia-Pacific Centre for the Responsibility to Protect 2008: 3). This proposal triggered an intense debate in the international community on the applicability of the R2P to natural disasters (Heine 2008), hereby generating strong pressure on the natural disaster-prone ASEAN.

was achieved in the post-Nargis situation without compromising the organization's established principles. Thus, it can be said that ASEAN has operationalized the R2P in such a way that it has become acceptable to the Southeast Asian region. It is as if a shellfish wraps up a hurting alien object with its own secretions, resulting eventually in the production of a pearl.

The Southeast Asian Way of Absorbing External Shocks

Having investigated how Southeast Asia has dealt with the shocks from external impact in the three selected cases, this section compares the findings of the case studies in order to obtain further insights. The comparison is conducted in terms of the types of external shocks, mechanisms of shock absorption, and some functions similar to but distinct from the absorption function in Southeast Asia.

The Types of External Shocks

In the South China Sea (SCS) dispute, external shocks come from China and the U.S. and can be categorized into two types. In the first type, China's territorial and jurisdictional claim over the SCS is perceived by Southeast Asia as a series of shocks, ranging over the 1988 naval battle between China and Vietnam, China's occupation of the Mischief Reef in 1995, which is also claimed by the Philippines, a number of incidents and stand-offs between China and the Philippines and Vietnam over the fishing rights and oil exploration since the late 2000s, and China's reclamation of the Spratly islands' seven reefs claimed by the Philippines (Bercovitch and Oishi 2010: 103-106; Oishi 2015b: 172). The second type of shocks has been created by the U.S. intervention in the SCS to preserve the freedom of navigation, beginning with the 2010 statement of Hilary Clinton, which not only infuriated China but sent a shock wave across Southeast Asia. The U.S. intervention is poised to increase in intensity as it dispatches its naval contingents to the controversial waters around the Spratly islands. The shock from the intervention has been felt more intensely and widely these days as the SCS is rapidly turning into a theatre in which the two great powers of China and the U.S. confront with each other. An important implication of this recent development is that the U.S. is using division within ASEAN by enlisting the support of some regional states as its official or de facto allies.

Turning to Myanmar's slow democratization process, ASEAN had been on the receiving end of international pressure, which had been felt steadily and incrementally by the regional organization since its admission of the problematic country in 1997. This incessant pressure coupled with occasional shocks in the wake of negative developments in Myanmar was inflicted on ASEAN on behalf of the country's rulers, who were not affected by international actions due to their isolation from the external world. On the other hand, the acceptance of the R2P by ASEAN countries in 2005 did not bring about immediate shocks. It was felt in the beginning as a normative jarring against the region's indigenous norms, values and practices. Three years later, this jarring turned into a real shock when there was a move by the international community to invoke the R2P, especially its third pillar of forceful intervention, to the humanitarian situation in the post-Nargis Myanmar. The move posed a real threat to the fabric of regional stability.

In summary, in the SCS, shocks from China have come in a series over a relatively long period, while those from the U.S. and from the stand-off between Washington and Beijing have surged rather rapidly. The shocks due to the undemocratic Myanmar reached ASEAN as an incessant and increasing pressure with occasional spikes. In the R2P issue, the shock was dealt to ASEAN as a sudden upheaval after a grace period.

Mechanisms of Shock Absorption

In addressing the different types of shocks identified above, the capacity of the mediation regime to cope with them has been effective. Southeast Asia has apparently grown to absorb the series of shocks from China over nearly three decades since the 1988 naval clash. In these years, ASEAN has engaged and socialized the Chinese dragon to a considerable extent in terms of the latter's conduct in the SCS, thereby creating the capacity to absorb more of the China shocks. The absorbing capacity itself has been developed by the organization's member states installing the mechanism of channeling newly raised tensions on the ground into the diplomatic arena and taking a range of different options towards China. This type of shock absorption was the most dramatically performed in the failure of the 2012 ASEAN Ministerial Meeting in Phnom Penh to issue a joint communique, albeit taking a high risk of undermining the regional groupin. Likewise, the shocks from the U.S. freedom of navigation operations have so far been absorbed without

_

⁴ The application of this capacity of ASEAN may pose a serious dilemma that China could eventually achieve its goals over the SCS peacefully after a series of its moves to change the status quo in the sea in a piecemeal manner like the recent cases of reclamations in Spratly islands. In such cases, raised tensions would be absorbed so much so that military crises would be prevented from setting off while China would be advancing its agendas.

triggering a major crisis due to diplomatic venues across Southeast Asia in which the U.S. and China can engage in diplomatic battles and to the region's so-called "politics of ambiguity" (Caballero-Anthony 2005: 108; Oishi 2015a: 12), which apparently demonstrates the absorbing capability.

Such functions of absorption can be identified as well in the process of ASEAN helping Myanmar sort out internal messes and in ASEANizing the R2P. Here, the concept of mediatory structure as a variation of the mediation regime helps understand what is happening in both cases. While receiving and eventually dissipating shocks in manners similar to the ones identified in the SCS dispute, Southeast Asia could be seen striving to eliminate elements that would attract international intervention. These elements appearing as vulnerabilities are represented by the lack of democracy, disrespect for human rights and deficiency in political will or ability to protect the people.

Absorption and Else?

Interestingly, the operation of the mediation regime in the three cases seems to suggest functions other than that of mere absorption. First, the elimination of internal vulnerabilities may more comfortably be established as an independent function than being regarded obliquely as part of absorption function.

Second, the management of the SCS dispute suggests the possibility that the SCS mediation regime may be able to address the most fundamental incompatibility of the dispute, i.e., overlapping sovereignties and jurisdictional rights by activating its constitutive functions. This task may be performed by disputing parties interpreting their positions to their own benefit and doing it differently from each other. As a result, in another example of the "politics of ambiguity" (Caballero-Anthony 2005: 108), the mutually incompatible positions may end up co-existing side by side, thereby boosting the collective will of the parties to maintain the status quo (Oishi 2015b: 170). Such an arrangement has already been made with a widely recognized success in the management of the Taiwan Strait conflict, where Beijing and Taipei interpret the "One China, Two Systems" differently in order to justify their respective positions that are mutually contradicting if seen objectively (Xu 2012: 89-91). By adopting this approach to the SCS dispute, the fundamental source of tension among disputants, China included, may disappear. This would be regarded as

the most fundamental way of addressing external shocks emanating from China. This would be achieved not by shock absorption but shock prevention.

Third, as was hinted just now, external shocks need not necessarily be absorbed. They may be deflected by the key parties maneuvering around incompatibilities or contradictions so that no outright clash may take place. An obvious advantage of deflection over absorption is that it does not strain the absorbing capability of Southeast Asia, ASEAN in particular, which could reach a breaking point. This deflection strategy may be employed while the above-mentioned reinterpreting exercises by the claimants are under way. Also, in retrospect, ASEAN was perhaps employing this strategy when it was dragging its foot in the face of increasing international pressure to do more about Myanmar. Furthermore, given that the U.S. and China are unwilling to clash militarily in the SCS, their interaction with each other in the diplomatic space may be looked at in terms of maneuvering. It appears that "political jiu-jitsu" (Sutton et al. 2014) may profitably be applied to political practices in Southeast Asia, in a way unique to the region.

Concluding Comments

The above analysis of the case studies has revealed several unique features of Southeast Asia, largely represented by ASEAN, responding to external shocks or impacts. They can be understood in terms of the capacity of shock absorption. A closer investigation has found that this capacity is comprised of: diplomatic venues to which shocks on the ground are channeled quickly for subsequent diplomatic battles that usually peter out without official results; different attitudes or even divisions within the region towards the sources of shocks; and the politics of ambiguity into which the original shocks dissipate eventually.

Furthermore, a closer investigation has also identified functions that can be distinguished from the function of absorption. They are: the elimination of the elements within Southeast Asia that would invite external intervention accompanied by inevitable impacts and shocks; the coexistence of incompatible positions of disputing parties in the exercise of re-defining them as another virtue of the politics of ambiguity; and shock deflection as a result of the parties maneuvering around flash points. These functions serve as auxiliaries to the absorption function, adding to regional flavors as well as enhancing the overall resilience of the political system of Southeast Asia.

Former Singapore Foreign Minister Bilahari Kausikan (2016) remarked recently:

ASEAN is a mechanism for managing external pressures and preserving the autonomy of its members by ensuring at least a modicum of cohesion, order and civility in our relationships in a region where none of this was to be taken for granted.

Indeed, the features of Southeast Asia having been emerged as a result of this research seem to provide an answer to one of the major and perennial challenges to the region that has been captured succinctly in the above statement. ASEAN may look messy as a regional organization, devoid of a coherent political institution, but it has coped with external impact fairly well. If this is the case, who cares about the lack of a good shape?

References

ASEAN Secretariat (2010). 'Compassion in action: The story of the ASEAN-led coordination in Myanmar,' Jakarta: ASEAN Secretariat.

http://www.asean.org/storage/images/2012/publications/Compassion%20in%20Action,%20The %20Story%20of%20the%20ASEAN-Led%20Coordination%20in%20Myanmar.pdf (Accessed 29 March 2016).

Asia-Pacific Centre for the Responsibility to Protect (2008). 'Cyclone Nargis and the responsibility to protect,' *Myanmar/Burma Briefing* no. 2, 16 May. https://www.google.com.bn/?gws_rd=cr,ssl&ei=vQ4KV_7xF4Gd0wSEw4CgAQ#q=Cyclone+N argis+and+the+Responsibility+to+Protect (Accessed 10 April 2016).

Askandar, K., Bercovitch, J. and Oishi, M. (2002). 'The ASEAN way of conflict management: Old patterns, and new trends.' *Asian Journal of Political Science*, 10: 2, pp. 21-42. Bellamy, A. J. and Drummond, C. (2011). 'The responsibility to protect in Southeast Asia: Between non-interference and sovereignty as responsibility.' *The Pacific Review*, 24: 2, pp. 179-200.

Bercovitch, J. and Oishi, M. (2010). *International conflict in the Asia-Pacific: Patterns, consequences and management*, London: Routledge.

Caballero-Anthony, M. (2005). *Regional security in Southeast Asia: Beyond the ASEAN way*, Singapore: Institute of Southeast Asian Studies.

Chong, A. (2012). 'Premodern Southeast Asia as a guide to International Relations between peoples: Prowess and prestige in "Intersocietal Relations" in the Sejarah Melayu.' *Alternatives: Global, Local, Political*, 37: 2, pp. 87-105.

Collins, A. (2013). *Building a people-oriented security community the ASEAN way*, London and New York: Routledge.

Emmers, R. (2007). 'International regime-building in ASEAN: Cooperation against the illicit trafficking and abuse of drugs.' *Contemporary Southeast Asia*, 29: 3, pp. 506-525.

Gordeeva, Y. M. (2014). 'The Russian Federation and the international climate change regime.' *Carbon & Climate Law Review*, 8: 3, pp. 167-174.

Haacke, J. (2003). 'ASEAN's diplomatic and security culture: Origins, development and prospects, London and New York: RoutledgeCurzon.

Haacke, J. (2005). "Enhanced interaction" with Myanmar and the project of a security community: Is ASEAN refining or breaking with its diplomatic and security culture?" *Contemporary Southeast Asia*, 27: 2, pp. 188-216.

Hasenclever, A., Mayer, P. and Rittberger, V. (1997). *Theories of international regimes*, New York: Cambridge University Press.

He, K. (2008). 'Institutional balancing and international relations theory: Economic interdependence and balance of Power strategies in Southeast Asia.' *European Journal of International Relations*, 14: 3, pp. 379-404.

Heine, J. (2008). 'Should R2P have been invoked in Myanmar?' *The Hindu*, 7 June. https://www.cigionline.org/articles/2008/06/should-r2p-have-been-invoked-myanmar. (Accessed 10 April 2016).

Kaplan, R, D. (2010). 'The geography of Chinese power.' Foreign Affairs, 89: 3, pp. 22-41.

Kausikan, B. (2016). 'Bilahari Kausikan's speech on ASEAN & US-China competition in Southeast Asia.' *3rd IPS-Nathan Lecture*, 30 March. http://www.todayonline.com/print/1988361. (Accessed 12 April 2016).

Keva, S. (2008). 'Human rights and Burma/Myanmar in the ASEM dialogue,' in Bart Gaens, ed., *Europe-Asia interregional relations: A decade of ASEM*, Aldershot: Ashgate, pp. 69-84.

Krasner, S. D. (1983). 'Structural causes and regime consequences: Regimes as intervening variables,' in Stephen. D. Krasner, ed., *International Regimes*, Ithaca: Cornell University Press, pp. 1–22.

McCoy, C. (2010). 'US stirs South China Sea waters.' *Asia Times Online*, 28 September. http://www.atimes.com/atimes/Southeast_Asia/LI28Ae01.html. (Accessed 06 April 2016).

Oishi, M. (2002). 'Creating a 'ripe moment' in the Burmese conflict through nonviolent action.' *Social Alternatives*, 21: 2, pp. 52-60.

Oishi, M. (2014). 'In search of an East Asian way of conflict management: Three regional cases.' *International Journal of China Studies*, 5: 3, pp. 705-731.

Oishi, M. (2016a). 'Introduction: The ASEAN way of conflict management under challenge,' in Mikio Oishi, ed., *Contemporary conflicts in Southeast Asia: Towards a new ASEAN way of conflict management*, Singapore: Springer, pp. 1-17.

Oishi, M. (2016b). 'The South China Sea dispute: Formation of a mediation regime and challenges for management,' in Mikio Oishi, ed., *Contemporary conflicts in Southeast Asia: Towards a new ASEAN way of conflict management*, Singapore: Springer pp. 157-180.

Oishi, M. and Ghani, N. (2016). 'Developing a way to influence the conduct of the government in intrastate conflict: The case of Myanmar,' in Mikio Oishi, ed., *Contemporary conflicts in Southeast Asia: Towards a new ASEAN way of conflict management*, Singapore, pp. 89-110.

Singhaputargun, N. (2015). 'The Thailand-Cambodia Preah Vihear Temple dispute: Its past, present and future,' in Mikio Oishi, ed., *Contemporary conflicts in Southeast Asia: Towards a new ASEAN way of conflict management*, Singapore, pp. 111-135.

Thayer, C. (2015). 'Acquiescing to China's assertiveness in the South China Sea: U.S. and Australian policies of not taking sides.' *C3S Paper* no. 0081/2015, Chennai Centre for China Studies.

Sutton, J., Butcher, C. and Svensson, I. (2014). 'Explaining political jiu-jitsu.' *Journal of Peace Research*, 51: 5, pp. 559 - 573.

Tzeng, P. (2015). 'Nuclear arbitration: Interpreting non_proliferation agreements.' *Nuclear Law Bulletin*, Issue 95, pp. 41-64.

United Nations General Assembly (2005). 'Resolution adopted by the General Assembly 60/1, 2005 World Summit Outcome,' 24 October 2005.

http://www.un.org/en/preventgenocide/adviser/pdf/World%20Summit%20Outcome%20Docume nt.pdf#page=30. (Accessed 10 April 2016).

Xu, X. (2012). 'One China, Two Worlds: Taiwan and China's quest for identity and security,' in Peter J. Katzenstein, ed., *Sinicization and the rise of China: Civilizational processes beyond East and West*, London and New York: Routledge, pp. 65-96.