Regionalism From Above, Regionalism From Below: The ASEAN and Possibilities for a Transformative Regionalism

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List of Acronyms

ABA	ASEAN Business Awards
ABC	ASEAN Business Club
ACFTA	ASEAN-China Free Trade Agreement
ACSC	ASEAN Civil Society Conference
AEC	ASEAN Economic Community
AEM	ASEAN Economic Ministers
AHRD	ASEAN Human Rights Declaration
AICHR	ASEAN Intergovernmental Commission on Human Rights
AICO	ASEAN Industrial Cooperation
AFC	1997 Asian Financial Crisis
AFTA	ASEAN Free Trade Area
AMM	ASEAN Ministerial Meeting
APA	ASEAN Peoples' Assembly
APF	ASEAN People's Forum
APEC	Asia-Pacific Economic Cooperation
APSC	ASEAN Political-Security Community
ASC	ASEAN Studies Centre
ASCC	ASEAN Socio-Cultural Community
APT	ASEAN Plus Three
ARF	ASEAN Regional Forum
ASA	Association of Southeast Asia
ASEAN	Association of Southeast Asian Nations
ASEAN-BAC	ASEAN Business Council
ASEAN-CCI	ASEAN Chamber of Commerce and Industry
ASEAN-IPR	ASEAN Institute for Peace and Reconciliation
ASEAN-ISIS	ASEAN Institutes of Strategic and International Studies Network
Asia DHRRA	Asian Partnership for Development of Human Resources in Rural Asia

AsTEN	Association of Southeast Asian Teacher Education Network
AWPR	ASEAN Women for Peace Registry
CARI	CIMB ASEAN Research Institute
CEOs	Chief Executive Officers
CLM	Cambodia, Laos, and Myanmar
CSOs	Civil society organizations
DFA	Department of Foreign Affairs
EAEC	East Asia Economic Caucus
EAEG	East Asia Economic Group
EPA	Economic Partnership Agreement
EPG	ASEAN Eminent Persons Group
ERIA	Economic Research Institute for ASEAN and East Asia
EU	European Union
FOCUS	Focus on the Global South
GFC	2007 Global Financial Crisis
GO	Governmental organizations
GRP	Government of the Republic of the Philippines
HLTS	High-Level Task Force
ICJ	International Court of Justice
IMF	International Monetary Fund
ISEAS	Institute of Southeast Asian Studies
LGBT	Lesbian, Gay, Bisexual and Transgender
MAPHILINDO	Malaysia, the Philippines and Indonesia
MNLF	Moro National Liberation Front
NAFTA	North American Free Trade Agreement
NGOs	Nongovernmental organizations
NSAs	Non-state actors
NUG	National Unity of Government
P2A	Passage to ASEAN

PIPs	Priority Integration Projects
PRC	People's Republic of China
RCEP	Regional Comprehensive Economic Partnership
RIN	Research Institutes Network
SAPA	Solidarity for Asian Peoples' Advocacy
SCS	South China Sea
SEACA	Southeast Asian Committee for Advocacy
SOM	Senior Official Meetings
TAC	Treaty of Amity and Cooperation
THRC	Temasek History Research Centre
TOR	Terms of Reference
TWN	Third World Network
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
US	United States
WB	World Bank
WTO	World Trade Organization
ZOPFAN	Zone of Peace, Freedom, and Neutrality

Executive Summary

Regionalism is a political act of transforming a geographical area into an actor able to express the region's interests. There is, however, a tendency to equate regionalism with a regional association, which is mainly the mechanism where states engage with cooperative activities. A regional body like the ASEAN is an outcome of regionalism where non-state actors such as business and civil society regard themselves as stakeholders.

Regionalism in Southeast Asia is driven by 'forces from above' (states) and 'forces from below' (non-state actors or civil society groups). The increasing role and assertiveness of non-state actors have broadened the vocabulary and practices of regionalism, particularly the concepts of transformative regionalism. Though subject to diverging interpretations, transformative regionalism provides a new modality for appreciating the ASEAN and the dynamics of Southeast Asian regionalism.

This paper highlights the role of the ASEAN in transforming Southeast Asia as a regional actor and extra-regional actor. Viewed as the key driver of regionalism, ASEAN attracts the attention and participation of large powers within and outside the region. Employing its state-centric approach to regionalism, ASEAN has managed to maintain regional peace and stability without militarizing nor embroiling the region with great powers' rivalry and competition.

ASEAN member states have adopted a welcoming attitude toward China and the US, thus, affording them the flexibility to engage with either to maximize their presence without compromising ASEAN's autonomy and centrality. China, however, continues its assertive and military presence in the South China Sea, thus, exposing ASEAN's shortcomings: lack of mechanism and resources to manage conflicts and absence of a unified stand to resolve them.

ASEAN has a unique way of dealing with conflicts. The ASEAN Way of non-interference, consultation and consensus building is a model of 'soft regionalism,' which contrasts with the Western model of 'hard regionalism' involving adhering to and enforcement of agreements. The principle of non-interference, however, has weakened the potential of the ASEAN Way in

addressing social issues that resonate with non-state actors and ASEAN's Western dialogue partners. Democracy, human rights, and environmental protection remain contentious within ASEAN. They could not generate an enthusiastic ASEAN Way of consultation when non-interference in a member's domestic affairs is invoked.

To address its institutional weaknesses, ASEAN embarked on an 'internal transformation' by adopting a Charter. The Charter has endowed the ASEAN with a different regional character with its three pillars: ASEAN Political-Security Community (APSC), ASEAN Economic Community, and the ASEAN Socio-Cultural Community (ASCC). These pillars codified the principles of justice, peace, and democracy, a competitive regional market, and a people-oriented community.

The ASEAN Charter is an important landmark in pushing for transformative regionalism because it has opened a space for non-state actors' engagement with ASEAN. The business sector and think tanks have been engaging with ASEAN in shaping regional policies. The business sector has been instrumental in deepening economic integration. For their part, think tanks have been promoting norms and critical ideas to assess the impact of a crisis or instability on ASEAN and the region.

Civil society groups, however, remain a challenge to creating a people-centred ASEAN Community. They have not garnered the support of non-democratic members of the ASEAN, while the democratic ones tend to welcome their contribution. Limited by the narrow space within ASEAN, civil society groups are promoting their agenda unofficially or outside ASEAN. Outside ASEAN, civil society groups appear united in their protest actions and activism. But this has also marginalized them from the ASEAN decision-making process.

ASEAN's reluctance to engage with civil society groups stems from its perception that they would undermine the role of the state. But this perception is more apparent in non-democratic members of ASEAN. Thus, ASEAN democratic states should exert more diplomatic effort to persuade other members to allow non-state actors to participate in the body's decision-making and policy

formulation. The ASEAN Foundation should be tapped for a more proactive engagement of different stakeholders in building a people-centred ASEAN community.

Non-state actors should continue engaging with ASEAN-sanctioned spaces. The constraints in these spaces could be minimized by strategically maximizing the support of the international community. ASEAN is sensitive to responses from the international community, which could enhance or dent its global reputation.

Civil society groups could embark on creating local spaces for regional issues, particularly those sponsored by ASEAN. Given their independence from governments, civil society groups are more likely to gain the trust and confidence of local communities on controversial issues affecting the region.

As this report seeks to emphasize, regionalism is shaped by both state and non-state actors. Though ASEAN is a key driver of regionalism in Southeast Asia, it has reached a point where it cannot but offer a seat to non-state actors to transform itself into a genuine people-centered regional organization. Because the process of regionalism is not exclusive to a regional body, non-state actors would have to continue advancing their agenda within and outside ASEAN.

It has been commonly assumed that commonalities could offset differences, thus paving the path to regionalism. The ASEAN, however, showed that regionalism could emerge from a diverse setting. Prior to the founding of the ASEAN, Southeast Asia was not a region but a convergence of *Indian, Chinese, Islamic, and Western* civilizations. With the founding of ASEAN, member countries remain divergent in their political, economic, social, and cultural system. Thus, the immediate practical concern was how could a region be constituted amid this diversity.

ASEAN's establishment in 1967 proved instrumental in forging a common bond. Though a matter of continuing debate on how strong or deep that bond is, ASEAN's success in fostering it is undeniable (Buszynski, 2014). Moreover, ASEAN has provided the Southeast Asian region with a voice that could 'claim' to represent the region (Acharya, 2012, p. 3) This is significant because a region is a political creation that involves 'transforming' a geographical area into an "active subject" able to express "emerging transnational interests" in the region (Hettne & Söderbaum, 2002, p. 38). This active subject of a region is composed of a group of countries usually "interdependent" on, but not limited to, economic, political, and social dimensions (Deutsch, as cited in Katzenstein, 2002, p. 105).

Apart from providing a regional voice, the ASEAN is also recognized as the primary manifestation of regional cooperative activities in Southeast Asia, with ASEAN as a 'key driver' (Ba, et. al., 2016, p. 12). ASEAN and Southeast Asia have become identical, thus, making it possible to observe a range of regional activities from politics to business, from banking and investment, and from civil society organizations to global governance (Ba, et. al., 2016, p. 12).

Region, regionalization, and regionalism are related terms that determine the creation of a regional organization. A regional organization is the outcome of these related terms. But the organization tends to generate more attention, thus, creating a single-minded 'fixation' on states and the regional organization itself (Hettne & Söderbaum, 2002, p. 38). In a world increasingly described as interdependent, and made "porous" by states and transnational dynamics, regionalization geographically materializes such dynamics. It is expressed in regionalism or the

political structures that indicate the approaches or policies of the government, business, and civil society, and social movements (Katzenstein, 2002; Barbieri, 2019). Further shaping these structures are concepts, metaphors, comparisons, thus, making regionalism also a set of ideas 'grounded in political practices (Katzenstein, 2002).

ASEAN's regionalism had a precursor in the two initial attempts to form a regional body. Though they failed, the Association of Southeast Asia (ASA, 1963) initiated the idea of a forum of foreign ministers while MAPHILINDO (1963) gave the idea of the ASEAN Way or consensus decision-making. The newly formed ASEAN adopted and continues to practice these ideas (UNCTAD, 2017). In recent times, ASEAN has begun to promote the idea of a 'people-oriented' organization as inscribed in the ASEAN Charter (Allison-Reumann, & Taylor, 2016). Like other regional organizations, ASEAN practices a state-centric regionalism, thus, making a 'people-oriented' regionalism significant for it opens the participation of non-state actors in the region.

The entry of non-state actors in ASEAN broadens the vocabulary and practices of regionalism. One such practice is the interaction between "forces from above" that maintain economic globalization and "forces from below" with their "alternative visions" of development (Mittelman, 1996, p. 208). Their interaction might be contentious and oppositional, but it portends the idea of "transformative regionalism" (Mittelman, 1996, p. 208). Also called "regionalism from below," its transformative possibility lies in challenging the primacy of state-centric regionalism (Igarashi, 2011).

ASEAN members considered democratic have progressively recognized engagement with domestic or regional civil society as a necessity. Their involvement in transnational issues such as the environment and refugees have contributed to an 'increasing appreciation' of their role (Acharya, 2003, p. 384). For their part, civil society groups have been demanding greater openness, transparency, and participation in regionalism. Though constrained by the norms and practices of the ASEAN, civil society actors are performing regionalism from below, thus

challenging ASEAN's state-centric regionalism (Acharya, 2003, p. 384). This does not mean, however, that the state would disappear. The interaction of state-market-society would 'restructure' regionalization (Hettne & Söderbaum, 2002, p. 38). Mainly fueled by social discontents spawned by globalization, civil society actors continue to make themselves visible and assertive in transforming regionalization (Spindler, 2002; Fioramonte, 2014).

ASEAN's engagement with civil society actors has been slow and low, but it did not prevent NGOs from building their own networks, tactics, or identities (Acharya, 2003, p. 383). Called "practitioners of transformative regionalism" for their opposition to neoliberal economic policy (Mittelman, 1996), they are also seen as providing a platform for "participatory regionalism" (Acharya, 2003) or "alternative regionalism" (Chandra, 2009). Though considered a nascent phenomenon and still up for debate on how participatory, alternative, or transformative they are, non-state actors are part of Southeast Asia's regionalization.

Arguing that regionalism is shaped by "forces from above" and "forces from below", this paper examines the evolution and the continuing evolution of regionalism in Southeast Asia. While ASEAN is considered the main driving force behind regionalism in Southeast Asia, non-state stakeholders are increasingly playing an important role in advancing 'alternatives' to ASEAN regionalism. This paper consists of three parts. The first part outlines the key issues and debates about regionalism and alternative regionalism in the context of Southeast Asia. The next part discusses "regionalism from above" where ASEAN is the key actor. The discussion maps the issues and problems confronting ASEAN in its pursuits of regionalism while recognizing the strengths and weaknesses of the Association. The third section of the paper focuses on "regionalism from below" advanced by non-state actors in the region. It identifies the key actors of alternative regionalism in Southeast Asia, their objectives, and regional efforts and initiatives. It then explores how successful they are in advancing their "alternatives" by looking into the opportunities and limitations they face in engaging ASEAN. Finally, the paper concludes with recommendations on how a more democratic, inclusive, and people-centered regionalism can be achieved in Southeast Asia.

Part 1.

Regionalism and Alternative Regionalism: Issues and Debates

Despite the myriad of studies about regionalism, the concept remains a continuing debate among scholars. For Hettne (2005, p. 544) regionalism is a contested concept and its usage varies in different disciplines. Similarly, Söderbaum (2016, p. 16) argues that regionalism means "different things to different people in different contexts and time period". He also asserts that neither the ontological nor the epistemological aspect of defining the term has remained static leading contemporary scholars to identify different forms of regionalisms (Söderbaum, 2012, p. 13). Kernalegen (2021, p. 1) contends that regionalism suffers from "theoretical scattering and semantic proliferation". Preceding from the belief that a "region is not a thing in the world but a perspective on the world," he recommends analyzing how, when, and why regionalist social actors translate their social experience in regional contexts (Ibid).

In terms of definition, some scholars explain regionalism in contrast to regionalization. Börzel and Risse (2016, p. 7) define regionalism as "constituting a primarily state-led process of building and sustaining formal regional institutions and organizations among at least three states". In the same vein, Payne & Gamble (cited in Hettne, 2005, p. 545) conceptualize regionalism as "a state-led or states-led project designed to reorganize a particular regional space along defined economic and political lines". These definitions identify regionalism as a formal, top-down, and state-led institution-building project.

On the other hand, regionalization is characterized as an informal and bottom-up societal process involving non-state actors. Börzel and Risse (2016, p. 8) define regionalization as "processes of increasing economic, political, social, or cultural interactions among geographically or culturally contiguous states and societies". Choirruzzad (2017, p. 3) describes it as a more bottom-up process that evolved due to the need for transnational relations resulting from economic interdependence. In these conceptualizations, the involvement of non-state actors in the region-building process is emphasized (Ibid.).

Some scholars, however, refute the above differentiation of regionalism and regionalization. Bøås, Marchand, and Shaw (cited in Söderbaum, 2012, p. 19) agree that regionalism is a political project

but not essentially state-led because there are other actors with different visions and ideas that exist within each regional project. Focusing on structure, Söderbaum (2012, p. 19) argues that regionalization can be both formal and informal though operating in various ways and causal relationships. Choirruzzad (2017, p. 3) claims that all regionalisms are regionalization but not all regionalization can be considered regionalism since regionalization can be both a planned or spontaneous political project.

Another debate in the study of regionalism is its relationship with globalization. Scholars ask if regionalism is a product of globalization or a political reaction against the latter's consequences. Solingen and Malnight (2016, p. 65) examine the relationship between globalization, domestic politics, and regionalism and argue that globalization influences regional orders directly or indirectly through its repercussions on domestic politics. On the other hand, Hettne (2005, p. 548) contends that regionalism can undoubtedly shape globalization because stronger regions will determine the form and content of the global order in many ways, shape political trends that may change directions, and eventually alter the requirements for the construction of global order.

The increasing role and influence of non-state actors in region-building and the uneven impact of globalization in many parts of the world gave prominence to the concept of "alternative regionalism". This paper focusing on Southeast Asia considers non-state actors as part of both regionalism and regionalization processes. Much of the literature on alternative regionalism in Southeast Asia center on the reactions and responses of various non-state actors to a form of globalization - the neoliberal economic globalization fueling ASEAN regionalism. This is evident with the creation of ASEAN's Economic Community pillar which irrevocably exemplifies a neoliberal approach. In response to ASEAN-led regionalism, alternative regionalist describes ASEAN as a negative model of integration run by elites and businesses and characterized by "cut-throat competition, profit-orientedness, and narrow patriotism" (Tadem, 2020, p. 4).

The concept of alternative regionalism is not simply an academic field but a concept advanced explicitly by activists themselves (Rother and Piper, 2014, p.3). While civil society is often

neglected in the broader study of regionalism, its impact has been increasing as seen in the proliferation of transnational activist networks and the growing engagement among civil society in many regions of the world including Asia (Armstrong et al 2010 in Söderbaum, 2012, p.14). In Southeast Asia, ASEAN's elite-dominated and conservative regionalism agenda does not go unchallenged. Non-state actors particularly civil society are the force behind alternative regionalism. This is a reaction to ASEAN's perceived failure to address different issues concerning its people (Tadem, 2020, p. 4).

Also known as "regionalism from below", Nesadurai (2012, p.167) describes that this phenomenon is initiated by non-elite organizations collaborating to address the concerns of those who are neglected, marginalized, or adversely affected by existing national and regional policies. While there have been attempts to institutionalize the participation of non-state actors in the ASEAN decision-making process, ASEAN member states are still indisposed to promote "participatory regionalism" (Gerard, 2010).

Despite the increase in alternative regionalism movements particularly in developing countries, it is still a largely unexplored topic. Like the concept of regionalism, alternative regionalism is subject to various interpretations, and that a common understanding as to what consists of possible "alternatives" to state-centric regionalism is yet to be arrived at by concerned actors. As Falk (in Nesadurai 2012, p. 171) argues, CSOs should develop common positions on important governance issues, obtain a consensus on alternatives to official governance, and direct their advocacies to relevant actors, such as states and international organizations.

Chandra (2009, p.1) identifies the two main ideological camps dominating the study of alternative regionalism: *mainstream regionalists and progressive regionalists.* Mainstream regionalists believe that contemporary alternative regionalism is marked by the shift from old regionalism[1] to new

[1] Old regionalism is often associated with the study of European regional integration and regionalism projects which occurred during the Cold War period. These projects were issue-specific (i.e. security or economically oriented) and mono-dimensional (Hettne 2005:549).

regionalism[2]. They are influenced by the success of Western models of regional integrations like the European Union (EU) and the North American Free Trade Agreement (NAFTA) resulting in their support for neoliberal policies and the enhancement and/or expansion of existing regional integration initiatives (Ibid). In contrast, *progressive regionalists* promote "alternatives" to the domination of Western imperialism, neoliberalism, and globalization (Ibid.). They were inspired by the Latin American model of regionalism which challenged the authority of Western imperialism (Ibid.).

In the context of Southeast Asia, it can be argued that the business sector and think tanks generally fall under the mainstream regionalists category since they are supportive of ASEAN's regionalism efforts and initiatives. The CSOs, on the other hand, can be labeled as progressive regionalists since they advance a "counter-hegemonic" form of regionalism (Nesadurai 2012, p.174). Civil society in the region criticizes ASEAN's market-oriented and "profits-before-people" ideology because it marginalizes and disempowers the people of ASEAN (Tadem, 2017). They also decry ASEAN's strict adherence to state sovereignty akin to the 17th-century Westphalian state model because it is no longer relevant to 21st-century challenges (Ibid.).

Falk (2002) argues for thinking beyond the Westphalian state-system because of the force emanating from banks and corporations that think of the world as a single marketplace and civil society actors that think of the world as a community "in which human needs and rights are upheld." Falk further considers these two forces as "transformative agents" because they move our "consciousness and perception" beyond the state system. Falk designates global corporations as "corporate globalisers" that find general support from governments. In contrast, the "civic globalisers," the civil society actors, must coalesce with states that espouse public goods such as arms control, environmental protection, or human rights (Ibid.).

The opposing perspectives between *mainstream regionalists* and *progressive regionalists* led to another point of contention among NSAs – whether to advance their "alternatives" by engaging

[2] New regionalism is associated with regionalism projects developed after the Cold War. In contrast to old regionalism, it is considered multi-dimensional, diverse, and related to the effects of globalization (Hurrel 1995).

with states and/ regional organizations or work independently outside the spaces accorded by ASEAN. Among the three non-state actors, the business community has been the most supportive of ASEAN regionalism particularly the organization's economic integration efforts. As opposed to the cooptation of this sector, not all civil society groups are in favor of engaging with ASEAN. A civil society review of their engagement with ASEAN for more than a decade reveals their frustrations for the lack of response coming from the organization (Ibid.). This prompted them to call for the development of new strategies outside and beyond the ASEAN (Ibid.).

An observable gap in the literature on alternative regionalism concerns the objectives of this movement. Should those advocating alternative regionalism pursue similar core objectives to ensure a unified strategy? It is generally agreed that the strength of civil society lies in their specialization of a particular issue (Nesadurai, 2012, p.171). However, addressing the challenges brought about by hegemonic governance structures necessitates the articulation of a coherent narrative that reflects their common principles (Ibid.). The lack of extensive discussion on this led to some scholars preferring to pluralize the term suggesting that advocates of "alternative regionalisms" are still in the process of examining new economic and environmental challenges and exploring potential socio-economic alternatives within communities, countries, and regions (Keet, 2007, p. 255).

Keet also argues that the use of the term reflects the reality that regional initiatives will have different outcomes for different regional groupings depending on the engagements between social movements themselves and their interaction with their governments (Ibid). While this reflects the evolving nature of alternative regionalism/s, Tadem (2020, p.6) recently calls for an in-depth discussion on alternative regionalism noting that alternative practices are spatially "dispersed, disparate, and disconnected". This led to another gap in the study of alternative regionalism which is the lack of academic or community-led efforts documenting alternative practices which need to be addressed (Ibid).

Part 2.

Transformative Regionalism from Above: The Role of ASEAN

ASEAN is the key driver of regionalism in Southeast Asia. It has been credited for transforming the region from a mere grouping of states into a powerful political actor in the region and beyond. ASEAN is responsible for safeguarding its member states' interests through peaceful negotiation and other political means (Li, 2017). Pakpahan (2019) argues that ASEAN has had notable achievements over the years that can be associated with its overall strengths as a regional organization. ASEAN, as he mentioned, has preserved peace and stability in the region. Prasetyano (2007) also concurs with this as he says that in terms of promoting regional peace and stability, ASEAN is frequently recognized as the most successful regional organization (Ibid.).

The "ASEAN Way" is also seen by some scholars as one of the strengths of ASEAN. Such diplomatic norm enables it to promote peace among member states, maintain its international standing, and build regional architecture. As stated by Tekunan (2014), the ASEAN Way, which is known as a unique diplomatic engagement with its Member States, is the key that distinguishes ASEAN from others and allows it to sustain regional peace and cooperation. The goal of the ASEAN Way is to create a consensus-based on the shared belief that each country has equal power.

According to Antolik (1990, p. 10), as cited in Amador & Teodoro (2016), ASEAN's basic behavioral norms reflect the preservation of regional security: member states must exercise restraint by refraining from interfering in each other's affairs, respect one another through consultation, and responsibly consider one another's interests and sensitivities. As such, ASEAN Member States have an implicit awareness that maintaining regional stability requires internal stability within and among the nations. In matters of politics, it has established a set of norms and values that guide its members' actions toward the achievement of the organization's aims and objectives.

It has been believed that ASEAN functions efficiently when member States "join hands to advance common interests when and where they deem fit" (Acharya, 2006, as cited in Hu, 2021). According to Berdal (2009), as cited in Amador & Teodoro (2016), the regional context has two levels of influence in conflict resolution. The first level considers elements such as neighboring states and

regional powers' special interests in connection to a particular dispute, as well as patterns of hatred and cooperation. The second level is concerned with the political economy of conflict, particularly the formation of "informal regional networks of a social, military, and economic kind" (Berdal, 2009, as cited in Amador & Teodoro, 2016).

ASEAN has made much more significant contributions to the prevention of conflict among its members than in resolving conflicts. Many of the issues that challenged ASEAN's survival have yet to be resolved (Denoon & Colber, 1998). Moreover, certain successes have been attributed to ASEAN's penchant for consensus over confrontation, such as settling tensions following Vietnam's invasion of Cambodia and leading Myanmar's partial transition from military dictatorship to democracy (Chang, 2021). However, its favored approach has proven ineffective in resolving contentious disputes between Southeast Asian countries and external powers (Chang, 2021). One prominent example of this is the South China Sea dispute, where, in light of the rising regional rivalry between the People's Republic of China (PRC) and the United States (US), the debate regarding its relevance has heated up. Apart from this issue between large powers, the PRC and other ASEAN states, namely Indonesia, Malaysia, the Philippines, and Vietnam, have yet to resolve sovereign and maritime disputes (Buendia, 2020).

Looking at the South China Sea dispute, Hu (2021) states that ASEAN member States advocate an ASEAN-led strategy to resolve the SCS conflict. Included in their shared interests is to avoid embroiling the region in the US-China power play. While many ASEAN countries embrace the US presence in the region, they prefer a level of competition between the two superpowers that allow them to maneuver between the two and maximize their autonomy (Han, 2018, as cited in Han, 2021). It has also been argued that ASEAN is highly vulnerable to influences from external powers, such as China, with regards to the SCS issue (York, 2015). Also, another core problem with ASEAN is the lack of unity in terms of "threat perceptions" in relation to China (Minh Vu, 2017). This is because in Cambodia, Laos, and Myanmar (CLM), China's commercial influence is particularly strong, preventing ASEAN from developing a unified viewpoint. On the other hand, as a result of the United States' withdrawal from the Trans-Pacific Partnership, a few other ASEAN countries,

including the Philippines, Thailand, and Vietnam, have recently aligned themselves with China (Li, 2017). All these, therefore, undermine ASEAN member states' cooperation to resolve the pressing issue (York, 2015).

ASEAN is struggling to formulate an effective and cohesive response as China tightens its hold on much of the South China Sea. Southeast Asian countries have not only rejected or unofficially accepted Chinese leadership but have also called for other external powers or partners who are not directly involved in the disputed issues to take the reins (Minh Vu, 2017). The South China Sea issue illustrates the primacy of each country's devotion to its own sovereignty and national interests over regional interests (Buendia, 2020). It is evident that ASEAN lacks the resources, as well as the mechanisms and institutions, to resolve these conflicts. Therefore, it can be said that the primary role of ASEAN is to maintain peace and establish trust, and nothing more (York, 2015).

The regional organization is also hampered by the competing interests of its member states. Made up of ten developing countries with varied interests and capabilities, ASEAN's ability to respond to the maritime war is limited by political, economic, and military constraints (Li, 2017). Internal divisions within ASEAN like such have presented a danger to the organization's unity. Moreover, whilst the ASEAN way and non-interference are at the core function of the region, it diverges from 'open disagreement,' in which, "reflects the 'subaltern identity' of weak states in the developing world" (Jeene and Jones, 2015, p. 8). In this regard within its Member States, it might cause uneasiness to the external capacities in sustaining and intensifying their relations. Given, for example, Kelly (2007) and Acharya (1998), as cited by Jeene and Jones (2015), that "at the regional level, domestic sources of shared weakness have been identified as a major source of interstate cooperation both beyond regionalism's European vanguard and in Southeast Asia in particular" (p. 9).

ASEAN'S Regionalism: soft but high

A closer look at how the ASEAN identifies itself on its website shows the chronological enumeration of its members. It starts from the five 'founding fathers' (Indonesia, Malaysia, the

Philippines, Singapore, and Thailand). It then proceeds to the exact date Brunei, Vietnam, Lao PDR, Myanmar, and Cambodia joined. It ends by counting them as the 'ten member-states that make up the ASEAN of today' (ASEAN, n.d.). It's as if a blank space is waiting for Timor-Leste, which applied for membership in 2016. Singapore remains the only country unconvinced of Timor-Leste's admission as the ASEAN 11th member.

Singapore "fears" Timor-Leste's poor economic and social condition and dependency on foreign aid might break ASEAN's plan for economic integration (Foreman, 2021). Previously, Cambodia, Laos, Vietnam, and Myanmar had opposed Timor-Leste's membership. Timor-Leste might exhaust ASEAN's limited resources meant for closing the development gap among its members (Ortuoste, 2019).

Such arguments against Timor-Leste's admission to the ASEAN seem to indicate a 'regional thinking' that prioritizes the ASEAN. It is a contrast to the arguments of the ASEAN's 'founding fathers' on how to think regionally. Malaysia's Foreign Minister, S.J. Rajaratnam, emerged from the ASEAN's August 1967 inaugural meeting to announce, "If we are to give a life to ASEAN, we must marry national thinking with regional thinking." (Ba, 2009). His statement underscores the domestic even while 'arguing' for the 'desirability' of an ASEAN (Ibid.). The contrast, however, is low. Singapore's fear over Timor-Leste's dependence on foreign aid is one of ASEAN's founding national-regional thinking.

Maintaining National Independence: Regionalization as an act of national-regional self-determination

In the 1960s, the decade of ASEAN conception, the future founding members of the ASEAN along with the rest of Southeast Asia had just gained their independence from Western colonialism. Nationalism pre-occupied the leaders of Southeast Asia. It was, thus, crucial to 'marry' the national with the regional. In Southeast Asia, nationalism is an "exercise in self-determination, independence, and autonomy." As such, it provides countries with the social, economic, and political foundations to overcome "internal and external forces" (Ibid.)

The national-regional linkage is clearly stated in the 1967 Bangkok Declaration, ASEAN's founding document. The fifth paragraph makes it the primary duty of the ASEAN members to make sure that the region is economically and socially stable and free from external intervention "in order to preserve their national identities," and "their ideals and aspirations as a people" (Bangkok Declaration, 1967). Another instance in which the national-regional linkage was Indonesia's insistence on projecting its "independent tradition" because it did not want to be seen at home as being pro-US (Ba, 2009). It was a direct reference to the Philippines' hosting of US military bases, which implied a non-independent foreign policy. Indonesia's position to insert "temporary bases clause" was affirmed in the Bangkok Declaration, which leaves foreign bases within countries that have "expressed concurrence" but not to be used to "subvert national independence."

ASEAN's relations with great powers were the "most contentious debates" in crafting the Bangkok Declaration. Without Thailand's Khoman mediation, Ba thinks that the ASEAN would have become a "historical footnote" (Ibid.). Contrary to expectations, the newly formed ASEAN deleted all references to collective defense or security cooperation and muted anti-communist stance in the Bangkok Declaration. A year before its signing, Tun Ismail had proclaimed that a regional organization emerging from Southeast Asia would not be a "military or anti-communist alliance or an anti-Western alliance." It should not "stand *against* something but should stand *for* something." Such a regional organization should "first and last pro-Southeast Asia, pro-development, pro-regional cooperation, and pro-peace" (Ibid.)

The Bangkok Declaration was signed after four days of "sports-shirt diplomacy" among the five founding countries of the ASEAN. As they "lined up their shots in the golf course" and joked about how they play, their disagreements eventually dissipated. This style of negotiation would become the ASEAN ministerial convention (ASEAN, n.d.b.). It would also prove unforgettable to observers.

Changing Security Environment: Regionalization for national-regional resilience

Writing 25 years after the ASEAN was born, Khoman reiterates that ASEAN's cooperation must rest on non-military matters and should "remain safely on economic ground." Ten years after the Bangkok Declaration, ASEAN's economic ground remained flat while security concerns were rising. Critics started calling the ASEAN's meetings a golf club of foreign ministers. Weatherbee (2019) points out what they had overlooked: the ASEAN was on the verge of "re-inventing itself for the first time." The ASEAN needed to address the changing security environment in Southeast Asia.

Koga (2014) describes the years leading up to the first ASEAN Summit in 1976 as ASEAN'S engagement with the "process of institutional transformation," which was triggered by "exogenous shocks." The US and Great Britain's withdrawal from Southeast Asia, the escalating China-Soviet rivalry, and the falls of Saigon and Cambodia not only changed Southeast Asia's security environment, but it also changed ASEAN's approach to security issues. The "internal discussion" that ensued focused on whether the ASEAN could "serve the members' security in changing" regional landscape (Ibid.).

These 'talks shops' produced more talks or declarations: the Zone of Peace, Freedom, and Neutrality (ZOPFAN), and the Bali Concord. Both became the foundation of the Treaty of Amity and Cooperation (TAC). Due to observers' dismissal of the ZOPFAN and the Bali Concord's significance, Koga stresses that without both, there would be no TAC. The ZOPFAN prescribes the principle of non-interference within and outside Southeast Asia (Ibid.).

TAC has made the ZOPFAN functional, which was also dismissed by the ASEAN members as 'passively hortatory' in the context of a threatened security environment. The ASEAN adopted Indonesia's concept of "regional resilience" based on its concept of "national resilience" (Koga, Ibid.) States can only meet internal and external security threats if they are strong economically and politically. In other words, regional security depends on the political and economic strength

of the national. The concept of regional and national resilience remains an "intangible" feature of the ASEAN (Weatherbee, 2009)

The TAC allows for the accession of non-Southeast Asian states upon approval of the ASEAN members. Papua New Guinea, in hopes of gaining membership into the ASEAN, was the first non-ASEAN to accede in 1989. China and India acceded in 2003, Russia in 2004. China's high-profile diplomacy in Southeast Asia and increasing doubts on the US security commitment in the region prompted the US to accede in 2009. By 2016, 25 non-regional states had acceded. Weatherbee regards the TAC as "innovative" because it created a regional structure and process for a peaceful settlement of disputes. However, he maintains that "it cannot be demonstrated" that the TAC could manage conflict or restraint military force when "vital interests" are playing out in Southeast Asia.

Koga points out the weakness of analyzing the dynamics of the ASEAN from the realist perspective. He, thus, calls for an institutional perspective to recognize how the ASEAN has transformed itself through external shocks. Just recently, Myanmar provided such external shock—it won't be invited to the next ASEAN Summit. Gen. Min Aung Hlaing remains under intense pressure to stabilize Myanmar's domestic unrest since the military took power in February 2021. In response, Myanmar's accused the ASEAN of violating its principles of non-interference, of fostering unity in diversity, and resolving differences through consultations and consensus" (Jaipragas, 2021).

For its part, the Chair of the ASEAN Foreign Minister's Meeting issued a statement admitting that the situation in Myanmar was affecting the "regional security and unity, credibility and centrality of the ASEAN." But despite "extensive discussions," there was no consensus on who would be Myanmar's "political representative" to the October 2021 ASEAN Summits. The Meeting also received a request for attendance from the National Unity of Government (NUG). Thus, "in view of competing claims" to attend, it was decided to "invite a non-political representative" from

Myanmar (Ministry of Foreign Affairs Brunei Darussalam, 2021). An analyst hailed this decision as a "real breakthrough" for both the ASEAN and anti-junta forces (Jaipragas, Ibid.).

Changing Economic and Security Environment: Look East Asia Regionalization

Mahathir, Malaysia's Prime Minister posed a hypothetical scenario where

> "Malaysia goes alone to Brussels to lodge a complaint against European protectionism. Our voice would simply be too small. Nobody would listen. But if the whole of East Asia tells Europe that it must open up its markets, Europeans will know that access to the huge Asian market obliges them not to be protectionist" (Terada, 2003)

Given ASEAN's small influence on global organizations like the IMF-WB, the WTO, and the UN (Terada, Ibid.), Mahathir's scenario was conceivable. What is significant in his statement is not a geographical East Asia, but the concept of East Asia as a region. In 1990, Mahathir was proposing to the ASEAN to create the East Asia Economic Group (EAEG) with those words above as his "initial motivation" (Hund, 2003). According to the former Philippines Foreign Affairs Secretary, Domingo Siazon, EAEG initiated the basis for an East Asian grouping (Ibid.).

ASEAN governments see the ASEAN as playing a key role in providing a venue for an "integrated dialogue" in East Asia with Malaysia as a "fervent promoter." Collectively, the ASEAN members believed that the integrated dialogue could draw Japan (for markets and funds for financial assistance and development) and China (for security objectives) (Hund, 2003).

Seen from the perspective of Asian countries' engagement with 'Asia Pacific' or APEC, East Asia was a new regional concept (Terada, 2011). But because of their involvement with both groupings, countries did not immediately warm up to the idea of an East Asia region. They did not want it to become a group opposed to Europe or America as Mahathir envisioned it (Ibid.).

Despite their disinterest, the ASEAN governments kept the idea of EAEC alive by undertaking the process of "acclimation," which entailed a "discreet and gradual approach (Terada, 2011). Leaders from China, Japan, and Korea were invited to "unofficial discussion." They met with the ASEAN foreign ministers in an "informal 6+3 lunch for further talks about the EAEG during the 27th ASEAN Ministerial Meeting (AMM) in Bangkok (July 1994).

The same form of informal discussion took place in the next AMMs in Brunei (1995), and in Jakarta (1996) where it was decided that China, Korea, and Japan would be included in the program of future AMMs (Ibid.). As Terada emphasizes, this "discreet but continuing acclimation helped to generate a growing consciousness of a shared East Asian identity, as the basis for the ASEAN+3 framework" (Ibid.). The ASEAN plus Three (APT) was in effect, Mahathir's EAEG.

External factors would trigger the rise of the APT by way of external financial support to mitigate the impact of the 1997-1998 financial crisis. The ASEAN had neither the resources nor mechanisms to manage the crisis. APEC was forced to abide by the US-IMF prescription in managing the fiscal crisis. Webber (2001) believes that the IMF, the US, and the EU "mainly but unintentionally fuelled" the Asian financial crisis. They had offended ASEAN's nationalist sentiment. Perceiving that their economic policies were more aligned with their own, ASEAN turned to China, Japan, and South Korea for external support. The underlying motive here is to make Japan and Korea strike a balance with China. (Weatherbee, Ibid).

The APT format was formally institutionalized on November 27–28 in Manila, during the third Informal Summit in 1999. It is now part of the ASEAN dialogue process, holds meetings at the annual ASEAN Summit and other ASEAN Ministerial meetings. The APT is the only group that has this privileged access to the ASEAN. In 2003, Mahathir remarked, "We would be very happy if we stopped hiding behind this spurious title [APT] and called ourselves the East Asia Economic Group" (Ibid.).

Frost (2008) considers ASEAN's move to include China, Japan, and Korea into its fold as "promoting a different version" of regionalism or an "expression of Asia's new regionalism." She imagines the ASEAN as the first circle of this new regionalism followed by APT as the second circle, "which periodically heralds the formation of an East Asian Community" in the future. By this time, the original five ASEAN members have already expanded to ten, making them the first circle of the ASEAN Community.

The East Asian Community, according to Frost, is "an experiment reflecting far-reaching political and economic shifts." It is partly an effect of globalization and partly a result of Asia's "conscious strategic judgments." The ASEAN might be "extremely weak" compared to China, Japan, or India, but it is the "least distrusted." As Morada (2008) points out, the ASEAN Community is an *idea* that became ASEAN's strategic response to the rise of China and to increase their competitiveness in the global economy (italics supplied).

Meanwhile, the East Asian Community also involves the role of the US due to the rise of China. After all, the US-China rivalry is already being imagined as a "new Cold War" (Oba, 2019). Frost notes how the "cottony rhetoric and backroom mediation" has softened bilateral tensions in East Asia Community. Dobell (2016) thinks that Asia was not inclined to adopt the Western model of 'hard regionalism,' which entails adhering to agreements, enforcing treaties, or fulfilling shared norms. Experience, however, dictates that Asia's security system "can only emerge through 'soft regionalism' of consultation and consensus inculcated by ASEAN."

Regionalization in search of relevance: Wither the ASEAN Way?

Such a 'soft' approach collapsed at the 45th AMM in July 2012 in Phnom Penh involving a regional issue with a great power. It proved to be an internal shock and a first. After days of drafting a statement on the members' stand on territorial disputes with China, the ASEAN Ministers "failed to reach a common position" (Loy, 2012). Brunei, Malaysia, the Philippines, and Vietnam have claims overlapping claims on parts of the South China Sea. China claims nearly all the South China, where confrontations are regular. China prefers to settle the dispute bilaterally with each

country instead of working with them by developing a code of conduct to which China has already agreed.

Extremely disappointed, Indonesia and Singapore said that such an outcome 'severely dented ASEAN's credibility' (Ibid.) Surin Pitsuwan, ASEAN Secretary-General, remarked that the incident called for 'soul searching and more cohesion among ourselves' (Lee-Brago, 2012). The Philippines' former Foreign Affairs Secretary, however, saw it differently. Albert del Rosario did not think that it was the "beginning of a tear in the organization." He believed that it was just a "bigger challenge for us to continue to build what we stand for—leadership and centrality and solidarity."

Del Rosario further emphasized the need to 'work together in building the community targeted for in 2015 (Ibid.). Tan Seng Chye, a former Singapore diplomat, regarded the incident as a "wake-up call." He called for a review of what has happened at 45th AMM to 'regains its cohesion and solidarity,' and move 'forward to maintain its credibility and relevance in the region and ASEAN's interests' (Tan, 2012).

ASEAN's failure to make a united front against their territorial dispute with China has prompted debates about its relevance both within and outside the region (Cheong, et.al. 2019; Weatherbee, 2019; Caballero-Anthony, 2008). China's rise has prompted the US's 'pivot to Asia,' which raised the issue of ASEAN's ability to "chart its own destiny" (Cheong, et. al. Ibid.) There was also the issue of ASEAN's ability to respond to "transnational nonstate-based threats" like drug trafficking and terrorism that spilled from the 2001 bombing of the World Trade Center in New York to the 2002 Bali bombings (Weatherbee, Ibid.).

Amplifying the prevailing political tensions were the "forces of globalization" and their "new pressures" on ASEAN's international trade and financial relations: human rights and environmental problems. While the ASEAN traditionally viewed them as "disguised protectionism and domestic interference," human rights and environmental issues "resonated with and emboldened local civil advocacy groups" (Ibid.)

The issue of human rights had resonance during the process of drafting and adopting the ASEAN Charter at the Singapore Summit. Myanmar was allowed attendance amid international condemnation of the junta's violent treatment of Burmese protestors. By then, the Charter has already provided for a 'strengthening democracy, enhancing good governance and the rule of law, and promotion of human rights and fundamental freedoms' (Caballero-Anthony, 2008). This instance has cast doubt on ASEAN's credibility among its citizens as well the international community (Ibid.). The matter of ASEAN's credibility was a factor when Myanmar was finally excluded from the October 2021 Summits. Singapore's Foreign Minister Vivian Balakrishnan said that it was 'difficult but necessary to uphold Asean's credibility' (The Straits Times, 2021). The Philippines' Foreign Affairs Secretary, Teodoro Locsin, said that had Myanmar been allowed to join, "our credibility as a real regional organization disappears" (Latiff, Allard, & McPherson, 2021).

ASEAN's democratic Western dialogue partners are significant to ASEAN's credibility problem. They are not only trading partners but also donors of development assistance to Southeast Asia's economic and development gap. ASEAN has paved the way for the advancement of economic relations of individual ASEAN countries with its international partners (Weatherbee, Ibid.). Thus, Wee (2001) suggests that ASEAN's seeming resistance against the Western brand of liberalism and democracy has allowed the region to 'play its own game in global capitalism.'

In 2016, ASEAN described as 'shirt-sleeves summit,' the *Time* magazine asks, "Why is President Obama Hosting a Get-Together of Asian Autocrats?" (Lewis, 2016). For its part, the *Washington Post*, headlining the same event asks, "Why Obama should not remain silent on human rights at the ASEAN Summit." The *Time* writes that the region's "rare patch of good economic news" is one of the reasons why Obama hosted the gathering. The *Washington Post* noted that the Philippines and Indonesia were the only democratic countries in the said gathering.

Southeast Asian's press does not usually mention the kind of government of the ASEAN member countries, thus, concealing their regime's diversity. Owing to their political diversity, ASEAN members "may not have a common" understanding of the ASEAN Way (Leviter, 2010). The ASEAN Way represent several principles that underscore a) informal consultations, and group consensus in decision-making, and reiteration of the TAC's principles on 1) respect for state sovereignty, 2) freedom from external interference, 3) non-interference in internal affairs, 4) peaceful dispute settlement, 6) renunciation of the use of force, and 6) cooperation.

The most cited and acted upon principle is non-interference in one's domestic affairs (Ibid.). New ASEAN members Myanmar, Cambodia, Laos, and Vietnam have been "empowered" by the ASEAN Way to keep a tight lid on their internal affairs. Older and "progressive" members have tried but failed to persuade the younger members to put aside the ASEAN Way. Thus, for Leviter, the weak character of the ASEAN Charter owed much to the 'failure of the older ASEAN members to persuade the others to set aside the ASEAN Way' (Ibid.).

That the ASEAN Charter is characterized as weak owed much to the high expectations its drafting generated. To initiate the process of conceiving an ASEAN Charter, Malaysia released a concept paper "Review of ASEAN Institutional Framework: Proposals for Change." It basically called for "profound changes including its institutional framework, working methods and rules" (Caballero-Anthony, 2008). Rodolfo Severino, the former ASEAN Secretary-General, calls it an "opportunity not to be missed."

In his "The ASEAN Charter: An Opportunity not to be Missed" (2006), Severino explains the ASEAN Charter was an opportunity to address the ASEAN's "shortcomings" such as 1) the lack of common norms that would make members accountable for the impact of their actions on fellow members and the region, 2) lack of legally binding provisions and compliance mechanisms, 3) insufficient "sense of regional identity, which makes each member distrust one another to take effective regional actions, 4) the ASEAN way that has "deterred ASEAN's ability to live up to its

potential, weakened its capacity to carry out its purposes, eroded its credibility, and retarded its progress."

Raising further expectations on the drafting of the ASEAN Charter was the decision to consult with civil society groups and business networks. It was a "bottom-up consultative process" announced by Malaysia's Prime Minister Abdullah Badawi acting as the 2005 ASEAN Chair. Badawi said that the ASEAN had to be "transformed to become a more people-centered community." (Ibid.).

Leviter, coming from a legal perspective, maintains the Charter was "bound to disappoint" because it has failed to resolve the ASEAN Way as a "corrective force" (Ibid.). Caballero-Anthony (2008) coming from the people's perspective, sees it differently. The drafting has generated "momentum in pushing with change that is already gaining momentum,' thus paving the way for "greater engagement, more contestation." Moreover, that momentum "witnessed the dynamics of regionalism being pried opened beyond the confines of closed-door diplomacy." The drafting of the ASEAN Charter has brought some changes in "the nature of state-to-state and society-to-state interactions in the region" (Ibid).

It must be noted as Badawi proclaimed a people-centered ASEAN community, Thailand's repressive tactics against sympathizers and protesters at Southern Thailand's Muslim provinces alarmed Malaysia and Indonesia. As Thailand invoked non-interference, Malaysia countered that the situation in Southern Thailand was a "potential regional security threat," and added that "there is no such thing as absolute non-intervention" (Weatherbee, Ibid.).

It was Indonesia that strongly advocated making human rights integral to the ASEAN Charter. It was not adopted although Art. 14 of the Charter calls for the establishment of an ASEAN human rights body. This body is the AICHR and AHRD, which have yet to create substantive impacts on member countries' actions to protect human rights and freedoms in the ASEAN. Nevertheless,

AICHR and AHRD have provided a "platform" upon which external and internal civil society actors could have access to the ASEAN (Ibid.).

Building the ASEAN Community: ASEAN Centrality vs People Centrality

The ASEAN Charter codifies the structure of the ASEAN Community and its three pillars: ASEAN Political-Security Community (APSC), ASEAN Economic Community (AEC), and the ASEAN Socio-Cultural Community (ASCC). The APSC community is where the people and member states of ASEAN will 'live in peace with one another and with the world in a 'just, democratic, and harmonious environment.' The AEC provides for a dynamic and competitive 'single market and production base.' The ASCC provides for a 'people-centered, socially responsible community by 'forging a common identity' and building a 'caring, sharing, inclusive, and harmonious' ASEAN Community (ASEAN Secretariat, 2009).

The seemingly all-embracing goal of establishing the ASEAN Community has generated a high level of interest from within and outside Southeast Asia. It has propelled the prominence of ASEAN in the international community. Former US Secretary of State Hilary Clinton, for instance, branded the ASEAN as the 'fulcrum of an evolving regional architecture' (Caballero-Anthony, 2014). Others commented that the ASEAN has shifted from 'neutrality of centrality.' Such high profiling of the ASEAN Community led to its depiction as the 'ASEAN centrality' (ASEAN Secretariat, 2009).

Though often uttered, there is no exact meaning of what ASEAN centrality is. What does suggest is ASEAN's 'widening and intensifying' in East Asia regionalism (Ibid.) Davies (2017) goes as far as to suggest that the ASEAN is an "educator, enabler, standard setter, and mobiliser" particularly in the field of human rights regardless of its "flawed institutional design." Heng Keng of Malaysia's Human Rights Commission (2009) claims that "although they are not explicitly stated" in the three pillars of the ASEAN Community, "human rights seem to underpin" all of them.

> As human rights encompass the principles of non-discrimination, equity, justice and human dignity, it is therefore logical that human rights are directly or indirectly are

> pertinent to the ASEAN Community. For instance, today's economic advancement depends heavily on human resources and unless people have equal access to education, training and capacity building, the country may be deprived of a large pool of creative thinkers and entrepreneurs (Ibid).

The ASEAN, however, seems to have a "passive" approach in promoting human rights. This is often "leveraged by other actors" to promote their human rights agenda (Davies, 2017). Human rights are not geographically but operate in a 'human rights complex' involving the "intertwined" workings of domestic, civil society, regional and global" actors (Ibid.). As such, in the context of human rights complex, ASEAN might find itself "increasingly de-centred" because delivering its commitment to human rights "largely depends on outside actors" (Ibid.).

Part 3.

Transformative Regionalism from Below: The Role of Non-state Actors

Arguably, economic globalization has 'expanded and deepened' regionalism in Southeast Asia with ASEAN in the center (Igarashi, 2011). Mittelman (1996) suggests that "transformative regionalism" presupposes the "expression of a dialectic" between "forces from above" whose agenda is to maintain economic globalization and "social forces at the base" with their "alternative visions" of development and regionalization. He, thus, defines regionalism as both a process and ground "among rival forces from above and from below." Igarashi also uses the term "regionalism from below" to account for the participation of transnational civil society actors to re-evaluate the primacy of "regionalism from above" (Ibid.).

Igarashi regards the transnational civil society actors as "transforming" the currency of the state-centric perspective (Ibid.). Mittelman shares a similar view and says, "at the end of the day, the possibilities and limitations of transformative regionalism rest on the strength of its links to civil society" (Ibid.).

Ba then talks about the 'best way of understanding ASEAN regionalism, which she proposes as "parts of cumulative dialogue or series of social negotiations on the material and normative foundations of a regional order" (Ibid.). Ba doubts if the ASEAN would disappear soon, but she anticipates that it would not "remain completely the same" because she finds regionalism in the region subject to 'continuous contestation and cumulative dialogues.' Here, old and new ideas compete, which renders the ASEAN "as an evolving work in process" (Ibid.).

In that space of competing ideas, the ASEAN is 'elitist' or acting on the principle of regionalism from above—by virtue of longevity. Civil society groups might not have benefited from a "long term relationship building" (Ba, Ibid.). But their force is increasingly recognized as part of a transformative regionalism that dispenses from viewing regionalism as simply a state-led undertaking.

Alternative Regionalism in Southeast Asia: Drivers, Objectives, and Initiatives

Situating the development of alternative regionalism in Southeast Asia within the spectrum of debates about alternative regionalism would reveal that non-state actors in the region pursue different goals which at times result in conflicting "alternatives". The literature on alternative regionalism in Southeast Asia points to three main non-state actors that are involved or engaging in the ASEAN decision-making process. These are the business community, think tanks, and civil society organizations. The first two entities fall under *mainstream regionalists* since they are generally noted to support the neoliberal agenda of ASEAN while CSOs can be considered *progressive regionalists* positioning themselves as counter-hegemony against neoliberalism and pursuing a "people-centered" ASEAN as opposed to the association's "people-oriented"[3] regionalism.

Business Sector

The business sector is among the first non-state actors that engaged with ASEAN. As early as the 1970s, many industrial and business groups were established and were the first to organize themselves regionally in Southeast Asia (Rüland, 2014, p.246). Throughout the 1980s and 1990s, a regional production network, ethnic business network, and sub-regional economic zones have developed which helped facilitate an informal bottom-up process of regionalization in East Asia (Deng 2002 in Chandra, 2006, p. 73). This prompted ASEAN to search for regional economic integration initiatives with significant inputs from business communities (Chandra, 2006, p.73).

The business sector is crucial to the realization of ASEAN's Economic Community (AEC) which envisions ASEAN as "a single market and product base, a highly competitive region, with equitable economic development, and fully integrated into the global economy" (ASEAN, 2015). As such, business groups in the region are among the entities engaged by the Association. ASEAN defined "business organizations" as business associations that are non-profit organizations engaged in promoting the business interests of their members (ASEAN, 2016). Prominent among them are the ASEAN Chamber of Commerce and Industry (ASEAN-CCI), the ASEAN Business

[3] The 2015 Kuala Lumpur Declaration on a People-Oriented, People-Centered ASEAN included the term "people-centered" advanced by CSOs together with "people-oriented" (Allison & Taylor 2016).

Council (ASEAN-BAC), and the ASEAN Business Club (ABC). The first two organizations were designed by ASEAN while ABC is a completely private-sector-driven initiative.

ASEAN Chamber of Commerce and Industry

The ASEAN-Chambers of Commerce and Industry was created in 1972 as a business and industrial peak organization through the initiative of the ASEAN Foreign Ministers (Rüland, 2018, p.175). It was conceived as a channel for explaining and socializing ASEAN decisions to the business sector (Ibid.). The ASEAN-CCI helped the private sector implement its plans in coordination with the ASEAN governments (Young, 1986, p.689) and assisted in shaping the Association's economic policy (Chandra, 2009, p.5). Specifically, ASEAN-CCI aims to:

> *Support the objectives of ASEAN in its pursuit of effective measures for regional economic cooperation and integration; accelerate economic growth and progress in the region through joint approaches, endeavours, and action in order to strengthen the foundation and coordination for the enhancement of the communities of ASEAN; foster closer relations and cooperation between and among the constituent members through mutual assistance in matters of common interest in the solution of economic problems in the area; maintain closer relations and cooperation with regional and international organizations having similar aims and objectives.*

With such mandate, ASEAN-CCI served as a conduit through which the business sectors communicate their concerns on regional economic issues to the Association (Chandra, 2006, p.71). The Chamber's representatives had access to all Senior Economic Officials and Economic Ministers Meetings as well as leaders of ASEAN governments (Rüland, 2014, p.246). ASEAN-CCI was also consulted during the drafting of the ASEAN Charter by the Eminent Persons Group (EPG) (Rüland, 2018, p.175).

Notably, ASEAN-CCI contributed to promoting the growth of local and state enterprises (Young 1986: 705), implementing the ASEAN Industrial Cooperation (AICO) system during the late 1970s

(Cordenillo in Chandra, Abdulrahim & Almuttaqi, 2017, p. 223) and the creation of the ASEAN Free Trade Area (AFTA) in 1993 (Collin 2008, p.315, Chandra, 2006, p.71).

ASEAN Business Advisory Council

Another important business organization that later on eclipsed the role of ASEAN-CCI is the ASEAN Business Advisory Council. This was launched in 2003 after ASEAN Heads of State and Government approved its creation during the 7th ASEAN Summit in 2001 held in Brunei Darussalam (ASEAN-BAC, n.d.). The Ministers-in-charge of each ASEAN member state can appoint up to three representatives (with at least one member representing the interests of small and medium-sized enterprises) who are usually top CEOs to ASEAN-BAC (ASEAN-BAC, n.d.). ASEAN-BAC is one of the 15 business organizations formally affiliated with ASEAN (ASEAN, 2016).

The Council served as the official private sector body of ASEAN (Ibid) and was established as a Track II[4] organization (Igarashi, 2011, p.9). Its mandate is to provide private sector feedback and guidance to enhance ASEAN's economic cooperation and integration efforts and identify priority areas for consideration of ASEAN Leaders (ASEAN-BAC, n.d.). ASEAN deliberations relevant to the AFTA, Priority Integration Projects (PIPs), ASEAN-China Free Trade Agreement (ACFTA), Economic Partnership Agreement (EPA) with Japan, and other economic initiatives were exclusive to government officials and ASEAN-BAC members (Chandra, 2006, p.12). Its role became pronounced with the launching of the ASEAN Economic Community (AEC) in 2016 and is expected to play a bigger role with the adoption of the ASEAN Economic Community Blueprint 2025 (Chandra, Abdulrahim & Almuttaqi, 2017, p.226).

ASEAN-BAC is known for organizing the annual ASEAN Business Awards (ABA) honoring outstanding ASEAN companies instrumental to ASEAN's economic development (ASEAN-BAC, n.d.). Likewise, it leads the annual ASEAN Business and Investment Summit, a premier platform for world leaders, ASEAN representatives, and relevant stakeholders to discuss important regional issues including how ASEAN's economic growth can be distributed equally and sustainably (Ibid).

[4] Track II refers to the conduct of policy dialogue among government officials, think tanks, and other policy analysts and practitioners on various issues (Hernandez 2006:19).

ASEAN Economic Ministers (AEM) and ASEAN-BAC also conduct dialogues to tackle pressing issues. Their recent dialogue was held in March 2021 during the 27th AEM Retreat wherein they discussed effective regional health response to COVID-19 and how to address its economic impact (Ibid).

ASEAN Business Club

Unlike the first two organizations which were designed by ASEAN, there are other business organizations established by the private sectors which also support ASEAN economic integration initiatives. The ASEAN Business Club formed in 2011 is a fully private sector-driven initiative whose membership consists of ASEAN's leading businesses (ABC, n.d.). It positions itself as a platform for networking, supports government efforts in tearing down barriers between ASEAN economies, and promotes knowledge-sharing and advocacy (Ibid.)

ABC's major initiatives to advance ASEAN economic integration includes conducting networking activities for regional and global leaders such as the ASEAN Forum and the annual ABC Gala Dinner for business sectors, conducting the three-phased research, "Lifting-The-Barriers Initiative", which examines the barriers and obstacles confronting economic integration, making information and knowledge accessible to relevant stakeholders, and enhancing ASEAN identity in ASEAN corporations (Ibid.)

The Club has its own Secretariat, the CIMB ASEAN Research Institute (CARI) which is the first independent, transnational research institute committed to advancing and accelerating the ASEAN integration agenda and providing pragmatic solutions and policy recommendations relevant to ASEAN integration and connectivity (Ibid). Notably, one of the founders and current President of ABC and Chairman of CARI, Tan Sri Dr. Mohd Munir Abdul Majid**,** served as Chair of ASEAN-BAC in 2015 (Chandra, Adbulrahim, and Almuttaqi, 2017, p.225) During his leadership, the research outputs of CARI were reflected in the official ASEAN-BAC report submitted to ASEAN Leaders in 2015 (Ibid.). He is also affiliated with other two important organizations with

considerable influence on ASEAN decision-making – ASEAN-BAC of Malaysia and Malaysia's Institute of Strategic and International Studies (ISIS), a member of the ASEAN-ISIS network.

Think Tanks

Think tanks and the academic community in Southeast Asia have been playing an active role in ASEAN's community-building process. The *ASEAN Rules of Procedure and Criteria for Engagement for Entities Associated with ASEAN* (2016, p. 2) defines think tanks as "institutes, network of institutes or group of experts organized for interdisciplinary research providing advice on issue". As of the latest ASEAN registry, four think tanks are formally affiliated with ASEAN: (1) the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR); (2) the ASEAN Institute of Strategic and International Studies (ASEAN-ISIS Network); (3) the Association of Southeast Asian Teacher Education Network (AsTEN); and (4) the Passage to ASEAN (P2A) (ASEAN, 2016).

The first two think tanks will be the focus of this section considering their direct involvement in ASEAN regionalism efforts and initiatives. In addition, this section will briefly discuss the contributions of two other regional think tanks influencing ASEAN's decision and the policymaking process, the Economic Research Institute for ASEAN and East Asia (ERIA) and the ISEAS-Yusof Ishak Institute. These institutions closely work with ASEAN although they are not ASEAN-accredited think tanks.

ASEAN Institute for Peace and Reconciliation

The ASEAN Institute for Peace and Reconciliation was envisioned under the APSC Blueprint 2010-2015 to be ASEAN's research hub on issues concerning peace, conflict management, and conflict resolution (ASEAN-IPR, n.d.). It was launched during the 21st ASEAN Summit held in November 2012 at Phnom Penh, Cambodia (Ibid.). The Institution functions to undertake activities relevant to research, capacity-building among stakeholders, developing a pool of expertise, networking and collaboration, and information dissemination (Buensuceso, n.d.).

In pursuit of its mandate, ASEAN-IPR led regional discussions in collaboration with key partners and stakeholders focusing on peace and reconciliation, conflict management, strengthening women's participation in peace processes, repercussions of violent extremism, woman and children in conflict situations, and strengthening convergences for humanitarian action in ASEAN (ASEAN-IPR, 2018). In 2018, it inaugurated the ASEAN Women for Peace Registry (AWPR) to help mainstream women's rights and gender equality in all conflict prevention initiatives and strategies and develop the capacity of women peace-builders in Southeast Asia (DFA, 2018). ASEAN-IPR also launched its first research project, *Lessons Learned from a Process of Conflict Resolution between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) as Mediated by Indonesia (1993-1996)* (Philippine Mission to ASEAN, 2019).

ASEAN Institutes for Strategic Studies

The ASEAN-ISIS network is an organization of institutes of strategic and international studies of the 10 ASEAN member states promoting cooperation among analysts and exchanges of information on issues concerning regional peace and security. Formally constituted in 1988, towards the end of the Cold War, ASEAN-ISIS was expected to provide ASEAN governments scholarly perspectives on policies that need to be adjusted to address changes in the global and regional orders (Rüland, 2012, p. 249). Since its establishment, ASEAN-ISIS has served as a platform for Track II diplomacy or the policy dialogue among government officials, think tanks, and policy analysts (Chandra, 2006, p. 76).

Recognized by ASEAN member states, Stone (in Nachiappan, Mendizabal & Datta, 2010, p.15) describes it as the most sophisticated and politically influential network of institutes, universities, and official actors in the region. The contributions of ASEAN-ISIS to ASEAN were formally recognized during the ASEAN Foreign Minister Meeting in 1991 (Igarashi, 2011, p.10). Consequently, it was given access to participate in all future ASEAN Senior Officials Meetings (Ibid.). Its proximity to the Association allowed ASEAN-ISIS to recommend policies in many issue areas concerning Southeast Asia, albeit not without criticisms which will be discussed in the section on ASEAN engagement with non-state actors.

The ASEAN-ISIS is credited for recommending policies that shaped the AFTA and the ASEAN Regional Forum (ARF) (Caballero, 2006). During the Asian Financial Crisis, it provided direction to the Association on how to push for economic regionalism by initiating discussion forums and developing blueprints (Zimmerman and Stone, 2018, p. 268). The comments of ASEAN-ISIS were also sought by Senior Official Meetings (SOM) prior to issuing official policies.

Further, the influence of ASEAN-ISIS at the national and regional levels made possible the accommodation of the wider civil society to the ASEAN decision-making process. ASEAN-ISIS spearheaded the creation of the ASEAN Peoples' Assembly (APA) in 2000 which was "meant to create a regular people's gathering where they would meet on a regular basis, discuss issues they consider timely, important and relevant; seek solutions for them and make recommendations to government on these matters" (Caballero, 2004, p. 578). Though the Assembly was only short-lived, ASEAN-ISIS was able to overcome the strong opposition from ASEAN member states particularly from its new members who were hesitant to support the initiative (Rüland, 2014, p.25). ASEAN-ISIS believed that failing to co-opt the civil society and the people will weaken ASEAN solidarity and render its promotion of regional identity ineffective (Ibid.).

ISEAS–Yusof Ishak Institute

The Singapore-based ISEAS-Yusof Ishak Institute is an autonomous organization founded in 1968 committed to the study of socio-political, security, and economic trends and developments in Southeast Asia and its broader geostrategic and economic environment (ISEAS, n.d.). It has three research hubs – the ASEAN Studies Centre (ASC), the Temasek History Research Centre (THRC), and the Singapore APEC Study Centre (Ibid.). The Institute's main objectives are the following:

- To be a leading research center dedicated to the study of socio-political, security and economic trends and developments in Southeast Asia and its wider geostrategic and economic environment.

- To stimulate research and debate within scholarly circles, enhance public awareness of the region, and facilitate the search for viable solutions to the varied problems confronting the region.
- To nurture a community of scholars interested in the region and to engage in research on the multi-faceted dimensions and issues of stability and security, economic development, and political, social, and cultural change (ISEAS n.d.).

Noting that ASEAN-ISIS and ISEAS are focused on the same research programs, the former is a think tank promoting regional interests at the national level while the latter maintains that it is purely a regional think tank (Chandra, 2006, p.73). ISEAS contributed to the establishment of the ASEAN Economic Community in early 2000, the drafting of the ASEAN Charter (Chandra, Abdulrahim, Almuttaqi, 2017, p. 226), and the development of the AEC Blueprint 2025 (ASEAN 2015). Due to its valuable contribution to ASEAN regionalism and community-building efforts, the ASEAN Studies Center of ISEAS became the first institution awarded with the premier ASEAN Prize 2020 during the 37th ASEAN Summit in Vietnam (ASEAN, 2020).

Economic Research Institute for ASEAN and East Asia

Another important think tank of officially sanctioned coordinative discourse is the Economic Research Institute for ASEAN and East Asia (Zimmerman & Stone, 2018, p. 269). Established by a formal agreement among 16 Heads of Government at the 3rd East Asia Summit in Singapore in 2007, ERIA works with the ASEAN Secretariat, researchers, and research institutes from East Asia to provide analytical research and policy recommendations (ERIA, 2013). Specifically, the following are the objectives of ERIA:

- To facilitate ASEAN Economic Community building
- To contribute to the narrowing of development gaps in the region
- To support ASEAN's role as the driver of the deepening of economic integration in East Asia

The Research Institutes Network (RIN) which consists of research organizations from the 16 East Asia Summit members works with ERIA on research, capacity development, and research dissemination (RIN, n.d.). Their outputs contribute to the deliberation of issues during meetings and summits attended by ASEAN and East Asian leaders and ministers (ERIA, 2013). ERIA also works with the ASEAN Chair in coming up with research projects that guide his one-year tenure as Chair while ensuring the long-term objective of deepening ASEAN integration (ERIA, n.d.).

ERIA is known for its contributions in the development of the recently concluded Regional Comprehensive Economic Partnership (RCEP) Agreement signed in 2020 (ERIA, n.d.), the AEC Blueprint 2025 adopted in 2017, and the Master Plan on ASEAN Connectivity in 2010 (Chandra, Abdulrahim, Almuttaqi, 2017, p. 221).

Civil Society Organizations

In comparison with the business and academic communities, CSOs were latecomers in influencing ASEAN's policymaking process. CSOs were encouraged to engage with the Association following the adoption of ASEAN Vision 2020 in 1997 paving the way for ASEAN's community-building project and the eventual adoption of the ASEAN Charter (Collins 2008:316). The said declaration promised to create "caring societies" and envisions a region governed with consent and increased participation of the people (Ibid.).

ASEAN defines CSOs as "non-profit organisations of ASEAN entities, natural or juridical, that promote, strengthen and help realise the aims and objectives of the ASEAN Community and its three Pillars – the ASEAN Political-Security Community, the ASEAN Economic Community, and the ASEAN Socio-Cultural Community." Presently, there are 46 CSOs formally accredited to ASEAN. However, most of them are professional organizations with only one high-profile CSO, the Asian Partnership for Development of Human Resources in Rural Asia (AsiaDHRRA) (Gerard, 2015).

This shows that there are still many CSOs who choose not to participate in ASEAN-led initiatives. Gerard (2015, p. 371) argued that many CSOs prefer to contest policy through activities outside ASEAN spaces such as participating in ASEAN Civil Society Conferences (ACSCs), publishing and sharing critical research, or arranging protests in conjunction with ASEAN meetings. Considering this, the following section will discuss three CSO networks identified as part of the civil society movement in Southeast Asia. The first one is the ASEAN Peoples' Assembly initiated by the ASEAN-ISIS. Though this is already a defunct organization, this is considered the first attempt where ASEAN recognized people's participation in regional decision-making. Due to the untoward experience of CSOs in this ASEAN-sanctioned space, some CSOs re-organized themselves and engaged with ASEAN through their "created spaces" (Jayasuriya and Rodan 2007:785). These CSO networks are the ASEAN Civil Society Conference which was subsequently renamed the ASEAN People's Forum (APF), and the Solidarity for Asian Peoples' Advocacy (SAPA).

ASEAN People's Assembly

The ASEAN Peoples Assembly was established as a Track 2 initiative in 2000 to serve as a forum for debate, exchange of ideas, and development of people-oriented policies addressing various issues and problems besetting the region (Morada, 2007, p.1). Specifically, it aimed to achieve the following goals:

- To promote mutual understanding and tolerance for the diversity of culture, religion, ethnicity, social values, political structures and processes, and other elements of ASEAN's diversity among broader sectors of the ASEAN population.
- To obtain insights and inputs on how to deal with socio-economic problems affecting ASEAN societies from as many relevant sectors of ASEAN societies as possible.
- To facilitate the bridging of gaps through various confidence-building measures, including participation in APA, between social and political sectors within and across ASEAN societies, especially Track 1 and Track 2, on a step-by-step basis.
- To assist in the building of an ASEAN community of caring societies as sought by the ASEAN Vision 2020 and the Bali Concord II (Ibid).

The creation of APA which demonstrated a shift in the ASEAN's attitude towards the civil society in the region (Nesadurai 2012, p.167) was welcomed by scholars. APA was perceived as an "empowering mechanism" (Caballero-Anthony, 243, p. 2005), "a process contributing to community building" (Morada, 2007, p.1), "opportunity for debate and discussion between the states and their citizens" (Rahman 2016:2), and "a useful vehicle for a more participatory form of regionalism" (Acharya, 2003, p.386).

The civil society also showed optimism on the opportunity to enhance the relationship between ASEAN and the people they represent. The first APA meeting in 2000 was attended by CSOs, business representatives, and ASEAN officials (who attended in their private capacity) and the ASEAN Secretary-General (who attended in his official capacity) (Nesudarai, 2012, p.167). Serving as the region's main social forum for nearly a decade, ASEAN-ISIS was able to organize six (6) APA meetings bringing ASEAN people closer to the Association (Nesudarai, 2012, p.168)

Despite the promises of this initiative to bring ASEAN closer to the people, ASEAN-ISIS decided to discontinue the Assembly in 2009 (Nesadurai, 2012, p.170). This was due to divergence in the perceived purpose of APA, funding issues, ASEAN-ISIS regulation of CSO participation, lack of support of ASEAN officials, and the dissatisfaction and declining interest of CSOs to participate in APA (Kelly 2013). Furthermore, the civil society encountered difficulties in shaping regional governance through APA because they were not involved in any way in its decision-making process (Nesudarai, 2012, p.170). Furthermore, CSO also opposed the neoliberal elements of the ASEAN Economic Community project endorsed by ASEAN-ISIS which emphasized much on competitiveness and productivity without taking into account the rights of workers, social justice, and the environment (Ibid.).

ASEAN Civil Society Conference/The ASEAN People's Forum

The disappointment of CSOs on APA led them to initiate their own advocacy platforms where they can articulate their "alternatives" to ASEAN-led regionalism. One of the platforms that they supported was the ASEAN Civil Society Conference, an annual conglomeration of CSOs usually

held in the country chairing the ASEAN (Yee, 2019). ACSC has a diverse set of constituents which include the following: workers, peasants, urban poor, fisherfolk, women, youth and children, the LGBT community, indigenous peoples, migrants, the elderly, employees, professionals, students, and persons with disabilities (Tadem, 2017). Compared with APA, ACSC is led and organized by CSOs themselves making it an authentic expression of civil society in the region (Nesadurai, 2012).

The organization works on the following priorities in its agenda: "human rights, social protection, foreign policies, trade and investments, labor and migration, social inequality, peace and security, food sovereignty, women, gender and LGBT rights, and climate justice" (Ibid.). Specifically, ACSC seeks to address the following: "inequitable free trade agreements, rampant land conversions and land grabbing, heightened militarization, pollution, disasters, migration, feminization of informal sectors, high-skilled and low-skilled divide among migrant workers, internal conflicts and displacement, absence of a genuine agrarian reform and land deconcentration, agro-ecology, neglect of agriculture, gender inequality and disempowerment of women, lack of universal health care, poor access to education, power and water issues, homophobia and misogyny, trafficking of persons, and marginalization of the informal sector" (Ibid).

The ACSC was initiated by the Malaysian Government in 2005 and envisioned to be a formal forum between ASEAN and CSOs (Chandra, 2009, p.6). Its first meeting can be considered a landmark event. Attended by more than 120 participants, the statement issued by ACSC was presented directly to the ASEAN leaders during the 11th ASEAN Summit in February 2005 (Igarashi, 2011, pp.11-12). Such interface between these two actors is considered a milestone since no such undertaking happened in the past (Chandra 2009:6). The group asked the ASEAN Heads of States of the following:

- Share information with civil societies on the proposed ASEAN Constitution.
- Set up a mechanism for engagement with civil societies on regional concerns.
- Transform ASEAN Parliamentary Caucus into ASEAN Parliament with peoples' representation.

- Translate commitments to rights of workers, women, children, migrants, elderly, and refugees into doable instruments.
- Take decisive action on transboundary security/ environmental concerns, e.g., haze, bird flu, migration, etc.
- Seek an end to the suppression of civil and political rights.
- Ensure that global, regional, and bilateral trade talks lead to justice and equity.
- Reverse unsustainable consumption, production, and development patterns.
- Empower youth, women, and indigenous peoples through access to education, employment, and decision-making processes
- Forge people-centered 'ASEAN identity' through a better understanding of history, culture, and diversity as well as shared values of ASEAN peoples (Chandra 2016: 19).

The idea to make ACSC a formal ASEAN-CSO forum did not materialize (Ibid) and subsequent meetings of the ACSC have been held at the initiative of CSOs (Igarashi 2011:12). The decision for an interface meeting with ASEAN leaders depends upon the country chairing the ASEAN (Yee, 2019). This is after ASEAN officials in 2009 decided to make interface dialogues with CSOs optional rather than a permanent part of ASEAN Summits (Nesudurai, 2012, p.173). In the same year, ACSCs started to be designated as the APF sessions.

Despite the limitations faced by the APF in engaging ASEAN, it is regarded as an authentic forum initiated by non-elite civil society groups and an important platform where "various expressions of resistance to mainstream regional governance from civil society are being consolidated into a more cohesive counter-hegemonic regional project that challenges core elements of the regionalism supported by official ASEAN" (Nesadurai, 2012, p. 174). During the last ACSC/APF session held in October 2021 parallel to the ASEAN Summit, the CSO network presented its assessment on ASEAN's response to militarization and authoritarianism in the region while people are suffering from the impact of the COVID-19 pandemic (ACSC/APF, 2021).

Solidarity for Asian People's Advocacy

Civil society's shift from APA to ACSC was accompanied by the creation of a new regional CSO network – the Solidarity for Asian People's Advocacy (Nesuradai, 2012, p. 170) which now organizes all ACSC assemblies (Rahman 2016:3). SAPA was created through the efforts of five (5) civil society organizations: (1) the Asia Forum for Human Rights and Development (FORUM-ASIA); (2) the Asian Partnership for the Development of Human Resources in Rural Asia (Asia DHRRA); (3) the Southeast Asian Committee for Advocacy (SEACA); (4) the Third World Network (TWN); and (5) the Focus on the Global South (FOCUS) (Igarashi, 2011, p. 12). It was initially conceived in 2006 out of the first ACSC meeting when CSOs realized the need to increase cooperation to be able to come up with strategic action plans and recommendations to the ASEAN EPG relevant to the development of the ASEAN Charter (Collins, 2008, p.323).

The objective of SAPA is to enhance engagement with various intergovernmental processes both at the international and regional levels through information and resource sharing among like-minded CSOs (Chandra, 2006, p.76). The central theme of its advocacy is people empowerment (particularly of those belonging to the marginalized groups and adversely affected by the prevailing status quo) and people's participation in official governance processes (ThinkCentre 2009 in Nesudarai, 2012, p.171). There are about 100 national and regional CSOs and CSO networks affiliated with SAPA which participate in SAPA's annual regional civil society consultations (Ibid.).

SAPA has been active in pushing for its policy agenda in ASEAN since its establishment. It formulated different Working Groups such as the Working Group on ASEAN, Working Group on Migrant and Labour, and Working Group on UN Human Rights Mechanisms (Igarashi, 2011, p.12). SAPA was the primary civil society organization that participated in the drafting of the ASEAN Charter. In 2006, it submitted proposals to the EPG on the proposed ASEAN Security Community, ASEAN Economic Community, and ASEAN Socio-Cultural Community after conducting consultations and collecting information from the people of eight ASEAN countries on what type

of Charter they wanted (Tager 2019, p.149). However, their recommendations were not considered in the final draft of the ASEAN Charter.

Resulting from its frustration with the ASEAN Charter, SAPA drafted its own ASEAN People's Charter that is "people-centered" and "people-empowered" (Collins, 2008, p. 326). The Charter presents SAPA's alternative vision to existing regionalism from above led by ASEAN. Challenging ASEAN's market-oriented economic regionalism, SAPA introduced "people-centered regionalism as an alternative to the current process of regional integration and economic globalization driven by the maximization of profits and neoliberal political-economic ideology" (Igarashi, 2011, p.12). While the People's Charter serves as a powerful critique of the ASEAN Charter, its framers argued that it is not intended to oppose or supplant the ASEAN Charter but to complement it (Chandra and Djamin in Tager, 2019, p.150).

ASEAN – Non-State Actors Engagement: Opportunity or Limitation?

When ASEAN was established in 1967, its founding fathers did not have a *priori* vision of the future of the organization (Chavez, 2006). Three decades later when the region was hit by a financial crisis during the 1990s, ASEAN realized that it cannot remain a loose organization and should transform itself to improve the lives of its people and develop a consciousness of a common destiny (Villacorta, 2018, p.5). Thus, the Association adopted its ambitious ASEAN Vision 2020: a concert of Southeast Asian nations, outward-looking, living in peace, stability, and prosperity, bonded together in partnership in dynamic development, and a community of caring societies (ASEAN, 1997).

The articulation of this vision for a region governed with the consent and greater participation of the people (Ibid.) was supported by subsequent ASEAN agreements. In 2003, the Association adopted the Declaration of the ASEAN Concord II which created the Security Community, Economic Community, and Socio-Cultural Community (ASEAN, 2003). These pillars were established to realize a "dynamic, cohesive, resilient and integrated ASEAN community (Ibid.). Among these three communities, the Socio-Cultural Community is specifically tasked to "seek the

active involvement of all sectors of society, in particular women, youth, and local communities" (Ibid.).

The ASEAN Charter which was adopted in 2007 also commits to promoting a "people-oriented" ASEAN where "all sectors of society are encouraged to participate in and benefit from the processes of ASEAN integration and community-building" (ASEAN, 2007, p. 5) Article 15 of the Charter directs the ASEAN Foundation to collaborate with different stakeholders including the business sector, academia, and civil society to support ASEAN community building (ASEAN, 2007, p.19).

Considering the above developments, different non-state actors started to see the value in engaging ASEAN. Previously ambivalent towards the efficacy of the Association, its invitation for popular participation was well-received by non-state actors. Thus, many of them particularly civil society organizations have made ASEAN the target of their advocacies. ASEAN provided three participatory mechanisms for non-state actors – the ASEAN system of affiliation, ad hoc consultations, and GO-NGO fora (Gerard, 2015). Aside from these spaces sanctioned by ASEAN, non-state actors particularly CSOs also advance their alternative agenda through independent or "created spaces" outside ASEAN.

The following section discusses the engagement between ASEAN and the business community, think tanks, and civil society organizations as well as the dynamics among these organizations whose interests at times conflict with one another.

ASEAN and Business Organizations

The business community is among the first groups co-opted by ASEAN. Many of them were established during the 1970s at a time when ASEAN responded to geopolitical uncertainties by reducing the influence of Great Powers in the region and accelerating economic cooperation (Rüland, 2014, p. 246). As they started to grow and engage ASEAN in policymaking, Chandra

(2006, p. 73) noted that these business networks promoted their interests through ASEAN while also contributing to an informal bottom-up process of regionalization.

As early as 1981, the ASEAN-CCI was already accredited as a civil society organization aimed at promoting cooperation among the private sectors in the region (Igarashi, 2011, p. 9). ASEAN policymakers believed that the creation of a business organization patterned after those in Western countries would enhance the implementation of its economic policies, provide needed expertise, and facilitate partnership with European business counterparts (Rüland, 2014, p. 246). During that time, ASEAN-CCI was the largest and most significant network assuming "something of a semi-official status and acts as an interface between ASEAN and inter-government committee structure and the various private sector groupings of the ASEAN countries" (Saravanamuttu & Ahmat 1986 in Aviel, 1999, p. 79).

At the outset, ASEAN and ASEAN-CCI maintained a close working relationship. Representatives of ASEAN-CCI were given opportunities to communicate their demands to ASEAN through its access in all ASEAN Senior Economic Officials and Economic Ministers Meetings (Rüland, 2014, p. 246). Through this privilege, ASEAN-CCI was able to control the proposals that reached ASEAN by submitting only those coming from its recognized organizations (Ibid.). The strong linkage between them facilitated the attainment of mutual interests and provide the structural methods for greater bargaining influence with external actors (Saravanamuttu & Ahmat cited in Aviel, 1999, p. 80). In 1996, the ASEAN Secretary-General allowed the Secretariat of ASEAN-CCI to have its own office in the ASEAN Secretariat Headquarters in Jakarta (Yoshimatsu, 2007, p. 234).

The importance of ASEAN-CCI to the Association was noted in the ASEAN Publication mentioning that "From passive involvement, the ASEAN-CCI has become an active partner in formulating ASEAN's economic agenda" (ASEAN Secretariat cited in Aviel, 1999, p. 79). Since the 1980s, ASEAN-CCI has committed itself to the integration initiatives of ASEAN (Yoshimatsu, 2007, p.233). In its published report, *ASEAN: The Way Forward*, ASEAN-CCI recommended policies relevant to market integration (i.e. the enhancement of the existing Preferential Trade Agreement

and the ASEAN Industrial Joint Venture, and the standstill and rollback of non-tariff barrier) (Shimizu in Yoshimatsu 2007:233). Officials of the ASEAN-CCI also effectively lobbied member governments to form institutional mechanisms to allow greater economic cooperation among the private sectors in the region (Saravanamuttu & Ahmat cited in Aviel 1999:80). Further, ASEAN-CCI helped in advancing regional economic cooperation through its connections that led to the expansion of intra-regional trade and investment (Aviel 1999:80).

Aside from being instrumental in promoting regional economic integration, ASEAN-CCI was also consulted in the process leading to ASEAN community building. It influenced the formation of ASEAN Vision 2020 and committed itself to become an engine of growth "towards building a caring and sharing community of people working together in pursuit of excellence to meet the challenges of globalization" (Yoshimatsu, 2007, p. 234). During the drafting of the ASEAN Charter, the Eminent Persons Group (EPG) tasked to draft the fundamental principles of the ASEAN Charter (Koh, Manalo & Woon, 2009) also engaged the business sector (Rüland, 2018, p. 175). The recommendations that they submitted which reflected their corporate interests were considered by the EPG demonstrating the support of ASEAN in neoliberal economic order (Ibid.).

The attention given by ASEAN to the business sector while isolating the civil society in the ASEAN community building was lamented by Chandra:

> Governments in the region tend to listen only to the concerns made by certain sections of their society, particularly economic actors. What is worse, there is a tendency for regional governments to only consult with the larger economic players. As a result, most economic integration initiatives have been reflections of the needs and interests of large economic actors, such as transnational corporations (TNCs). This is also one of the reasons why many of ASEAN's well-defined initiatives for deeper integration in the region are becoming increasingly irrelevant for the people of Southeast Asia (Ibid, p. 101).

However, when the ASEAN Charter was being finalized by the High-Level Task Force (HLTS), the business sectors were not consulted nor informed of the Charter negotiations (Ibid.). While complaining about this, spokespersons of the business community never questioned ASEAN nor demanded a more democratic representation (Rüland 2018:176). Despite their non-participation, the interests of the business sector were included almost unaltered in the ASEAN Charter (Rüland, 2018, p. 175).

While the relationship of ASEAN and the business sector represented by ASEAN-CCI provided mutual benefits, their engagement declined with the intensification of the economic integration in the region (Chandra, Abdulrahim & Almuttaqi, 2017, p. 223). ASEAN governments were disappointed with ASEAN-CCI's failure to help businesses exploit opportunities within the region (Ibid.). Severino (cited in Yoshimatsu 2007, p. 234) bemoans:

> It is ironic that the call for regional economic integration has come primarily from the business sectors of Japan and the United States … What we need is pressure from the ASEAN business community on behalf of the integrated regional market that ASEAN's economies and businesses need to prosper and even survive.

The weak representation of ASEAN-CCI was due to the organization's structure and its failure to have a constant and cohesive position on market liberalization (Yoshimatsu 235). Similar to ASEAN, ASEAN-CCI's decision-making was based on consensus and its chairmanship followed the rotational style of Association (Ibid.). This prevented ASEAN-CCI from formulating flexible, timely, and decisive policy recommendations under strong leadership (Ibid.).

On the other hand, the business community was also frustrated with ASEAN for not consulting them in the planning and implementation of ASEAN initiatives (UNESCAP 2010:9). This resulted in several failed programs which did not complement the realities or needs on the ground (Ibid.). For instance, the guidelines on the implementation of the 1981 ASEAN Industrial Complementation Scheme were drafted without consulting the private sector (Ibid.). The Scheme

was meant to develop industrial projects by utilizing components from different ASEAN states was rendered impractical and inflexible by the business sector (Ibid.).

Because of their differences, ASEAN initiated the creation of a new business organization after its 2001 free-trade negotiation with China (Rüland, 2014, p. 225). Thus, ASEAN-BAC was established and acknowledged in the 2004-2010 Vientiane Plan of Action (Ibid.). Similar to ASEAN-CCI, ASEAN-BAC Secretariat was provided a space in the ASEAN Headquarters where it is still presently located. ASEAN-BAC received more privilege in terms of access to ASEAN officials than ASEAN-CCI. The former only had access to ASEAN Senior Officials while the latter has maintained linkages with ASEAN leaders and ministers (Yoshimatsu, 2007, p. 236).

While ASEAN-BAC has contributed to regional economic integration, it is also encountering major limitations and challenges. The frequent change in leadership, the manipulation in their activities by ASEAN member-states (Ibid., p. 237), its limited resources, the difficulty for members to manage their time attending to their businesses and the demands of ASEAN-BAC, delivering strategic policy recommendations promptly, and the struggle to reach out to small and medium-sized enterprises, are some of the issues that ASEAN-BAC is facing (Chandra, Abdulrahim & Almuttaqi, 2017, p. 224).

Organized to officially promote public-private partnership in the region (UNESCAP, 2010, p. 11) scholars argue that since it is not a purely private organization nor a "pressure" group, it should not be expected to urge ASEAN governments to promote the interest of the private sector (Yoshimatsu, 2007, p. 238) and to formulate policies beyond the ideas of ASEAN governments (Nesadurai in Yoshimatsu, 2007, p. 239).

ASEAN and Think Tanks

Think tanks are considered discursive agents and norm entrepreneurs (Zimmerman & Stone, 2018, p. 260). This holds in the case of think tanks in Southeast Asia which have been formally engaging ASEAN to advance their "alternatives" to regionalism by framing policy debates, shaping

narratives, conducting research, and recommending policies. Because of the presence of think tanks in Southeast Asia, dialogues, research collaborations and analysis, and policy development have become normalized in the region (Ibid.)

The creation of Southeast Asian think tanks, particularly the ASEAN-ISIS was in a way highly influenced by European regionalism (Rüland, 2018, p. 44). However, in contrast to Western think tanks, those in the region are state-affiliated and consist of – or connected to – an elite group of policy experts (Zimmerman and Stone, 2018, p. 262). This is attributed to the patronage culture prevalent in the region (Ibid.). This strong linkage allows think tanks to influence policy discourse, particularly in periods of instability, and gain access to decision-makers (Ladi in Zimmerman & Stone, 2011, p. 206). However, not all scholars sit well with the close association of think tanks with ASEAN. Think tanks particularly ASEAN-ISIS have been highly criticized for being conservative agents and enablers of ASEAN's corporatist model of regional governance (Rüland, 2012).

Despite these criticisms, it cannot be said that think tanks failed to promote alternative regionalism in Southeast Asia. In the area of political security, Katsumata (2003) highlights the role of ASEAN-ISIS in developing security cooperation not just in Southeast Asia but in the wider Asia-Pacific region. This led to the successful creation of the ASEAN Regional Forum (ARF) (Ibid). He also commends ASEAN-ISIS in furthering common cooperative security thinking, establishing an inter-governmental forum for multilateral security dialogue, and extending the ASEAN diplomatic style to the entire Asia-Pacific region (Ibid). ASEAN-ISIS also advocated for the promotion of human rights, democracy, and a rules-based organization as important components of the ASEAN Security Community (ASC) (Rüland, 2018, p. 141). These concerns were emphasized in the draft blueprint of ASEAN-ISIS on the creation of the ASC submitted prior to the 2003 Bali Concord II and subsequent memorandum submitted to the EPG in 2006 (Ibid).

In the area of economic cooperation, Zimmerman and Stone (2018) documented the contributions of think tanks in addressing the impact of the Asian Financial Crisis (AFC) of 1997 and the Global

Financial Crisis (GFC) of 2007. The responses of regional think tanks to these political junctures were aligned to the advocacies of what Chandra (2009) calls "progressive regionalists". According to Zimmerman and Stone, regional think tanks took advantage of these crises to delegitimize the policies of the International Monetary Fund (IMF) and the inaptness of the policies of the Washington Consensus in the context of economic development of Southeast Asia (Ibid).

Further, in response to these economic junctures, think tanks in the region advocated for an alternative to neoliberalism which is an "Asian style of economic growth" and an "Asian-centric style of regionalism" (Ibid.). Specifically, they called ASEAN to break away from its reliance on foreign capital, relegate exposure to foreign financial markets, and concentrate on national policies to safeguard its people in times of financial shock and robust financial regulation (Birdsall & Fukuyama in Zimmerman & Stone, 2018). These alternative approaches to economic recovery laid the foundation in constructing the ASEAN Economic Community (AEC) and defined the direction of future institutional policies of ASEAN (Zimmerman & Stone, 2018). The successful shaping of narratives after the AFC and the GFC demonstrates the special position of regional think tanks in the ASEAN policymaking arena moving behind the scenes as interlocutors and shapers of public opinions.

If thinks tanks are recognized for their contributions in the areas of political-security and economic community building, they are highly criticized for their failure to promote people's participation in ASEAN decision and policymaking processes. It is fair to say, however, that despite this perceived failure, ASEAN-ISIS steered the participation of the civil society in ASEAN through the creation of APA. Chandra (2006, p. 72) argues that APA exemplifies how governments and intermediary institutions attached to them can localize democratization pressures. Modern reformists in the ASEAN-ISIS member institutes who put forward the creation of APA despite the strong opposition of some ASEAN member states believed that co-opting the civil society and the people is key to strengthening ASEAN and promoting regional identity (Ibid.).

While its initiation of APA attracted the participation of many CSO networks in the region, ASEAN-ISIS's relationship with ASEAN caught them in the middle of framing a reformist agenda and on the other hand securing the conformity of new norms to ASEAN's orthodox ideology (Rüland, 2012, p. 252). The Assembly provided a huge opportunity for ASEAN – CSO engagement. However, the interest of CSOs to participate in APA gradually waned. The civil society felt that APA is literally functioning as an assembly with no influence in ASEAN agenda setting (Chandra, 2006, p. 74) and only served as a platform for ASEAN leaders to advance their interests through ASEAN-ISIS (Kang, 2006, p. 29).

The civil society also lamented that ASEAN-ISIS was acting as a gatekeeper restricting CSO access to ASEAN decision-making (Caballero, 2005, p. 243). They also complained about the top-down control of CSOs by ASEAN-ISIS and accused the latter of inviting only state-sponsored organizations (Teng in Rahman, 2016, p. 3). Aside from the eroding confidence of the civil society, the ASEAN-ISIS also faced difficulty in obtaining funding from ASEAN for APA activities which was eventually provided by sponsors (Collins, 2008, p. 321).

Despite its activism, the conclusion of APA in 2009 illustrates the challenge confronted by ASEAN-ISIS in going beyond the existing regional norms and functional priorities identified by ASEAN governments particularly the more conservative members. The lack of genuine support of ASEAN justifies the claim that these institutions were created not to promote people's participation but to optimize the international legitimacy of ASEAN (Rüland, 2018, pp. 44-45). Instead of empowering the civil society, ASEAN-ISIS served to control them (Ibid.).

Another instance where ASEAN think tanks failed to leverage on their official connection with ASEAN is during the drafting of the ASEAN Charter. Although they were consulted by the ASEAN-SOM and the EPG together with the business community and the civil society, their recommendations were diluted in the final draft of the ASEAN Charter. It is important to note that ASEAN-ISIS submitted a complete version of a Charter for ASEAN covering important proposals relevant to ASEAN principles, ASEAN organs to be formed, institutional mechanisms,

consultation, and decision-making process, external relations, rights and obligations, financial matters, sanctions (Caballero, 2008, p. 78), a majority voting mechanism, relaxation of the norm of non-interference, strengthening of the ASEAN Secretariat, and the establishment of the ASEAN Court of Justice and ASEAN Peace and Reconciliation Council (Rüland, 2018, pp. 142). The ISEAS-Yusof also submitted its own version on framing ASEAN which was also considered by the EPG (Caballero, 2008, p. 78).

However, the hopes of having a more participatory involvement of non-state stakeholders in the drafting of the ASEAN Charter waned with the formation of the HLTF in 2007 tasked to finalize the document. Having no mandate to conduct consultations, the HLTF did not consult ASEAN-ISIS nor any academics (Rüland, 2018, p. 136). In defense of ASEAN, Chalermpalanupap (2003, p. 129) explains that public participation in the drafting of the ASEAN Charter was not possible since negotiation exercise is exclusive to ASEAN governments and that any drafter taking an overt public position on any controversial issue would have limited room for tactical compromise.

The resulting Charter was criticized by think tanks and academics including a prominent ASEAN-ISIS figure. Jusuf Wanandi (2007) describes the Charter as a "mediocre" document that is "void of the vision, progress, and courage that is needed to guide ASEAN to face the future." The inability of think tanks to influence the ASEAN Charter shows that proximity to the Association does not guarantee successful interventions and advancement of alternatives to regionalism. Participation in major ASEAN decision and policymaking processes such as the drafting of the ASEAN Charter remains hostage to ASEAN's elitist and state-centric nature as well as the interests of individual member states. As Gerard (2015) contends, the "sensitivity" of ASEAN governments to issues on the agenda shapes the boundaries of political participation even in spaces sanctioned by ASEAN.

ASEAN and Civil Society

Among the three non-state actors influencing regionalism and regionalization in Southeast Asia, civil society has the most unstable and challenging relationship with ASEAN. On many occasions, CSO networks have to cross swords with ASEAN on different policy positions that affect the people of ASEAN – be it in ASEAN established spaces or the spaces created by the civil society themselves.

The creation of an ASEAN community where people are "conscious of a common regional identity" was seen as an opportunity by the civil society to contribute to shaping regionalism in Southeast Asia based on a "people-centered" approach. This is key to successfully building a community – for what is a community in a genuine sense of the term without people?

ASEAN leaders recognize the importance of engaging non-state actors particularly civil society in regional decision-making. Former Indonesian President Susilo Bambang Yudhoyono (in Sukma, 2008, p. 269) mentioned, "ASEAN must have kept a firm hold on the idea that it is wise and necessary that the people participate in its work" and "we need to ensure that our peoples have full ownership of the endeavour taken by Governments." Likewise, Surin Pitsuwan (in Collins, 2008, p.319) former ASEAN Secretary-General stated, "We need to widen and deepen our engagement and interaction with the non-governmental and civil society organizations in the region, as these organizations are in a better position to articulate their aspirations for an ASEAN Community."

Previously ambivalent towards the efficacy of the ASEAN, the Association's invitation for popular participation was initially well-received by civil society. However, after years of engagement without meaningful outcomes, there is now a growing belief that such initiatives were more of legitimizing rhetoric rather than an institutionalized policy. The space created by ASEAN for civil society participation only restricted the latter's ability to advance their "alternatives" to regionalism. Considering the limitations in ASEAN-sanctioned spaces, CSOs have also been pushing their advocacies outside the Association.

Although civil society networks only started to get involved with ASEAN after the 1997 Asian Financial Crisis (Chandra, 2006, p.73), their engagement with ASEAN is not a new initiative (Chandra, Abdulrahim & Almuttaqi, 2007, p. 227). As early as 1979, ASEAN had formalized a mechanism allowing CSOs to become affiliated with the Association (Ibid.). Reviewing ASEAN's latest System of Engagement with Entities reveals its stringent requirements and rigorous criteria which restrict the space for civil society to push for their "alternative" agenda on regionalism.

According to the guidelines, ASEAN may engage with parliamentarians and judiciary, CSOs, think tanks, academic institutions, business organizations, and other stakeholders who are supporting the ASEAN Charter specifically its purposes and principles (ASEAN, 2016). The approval of one's application is based upon the assessment of the applicant's potential positive contribution to the enhancement, strengthening, and realization of the aims and objectives of the organization (Ibid). Notably, obligations accorded to entities outweigh the privileges that can be gained from being associated with ASEAN. Affiliated organizations are obliged to push for ASEAN interests and promote awareness of its principles and activities (Ibid). For CSOs, there is no guarantee for a meaningful engagement since attending meetings for consultation purposes is at the discretion of the Chairman of the sectoral body (Ibid). Due to these limitations, it is not surprising that most of the 46 CSOs currently affiliated with ASEAN are professional organizations and not progressive civil society organizations.

As observed by Gerard (2015), though CSO affiliation may enhance their access to ASEAN officials, this, however, prevents them to contest ASEAN policies or push for policy alternatives. The affiliation system only allows the accreditation of state-controlled organizations (Shigemasa, 2013, p. 93) and those that are not criticizing ASEAN policies or the policies of member states (Gerard 2015, p. 378). Further, this mechanism limits their ability to contribute to the deliberation and formulation of regional policies since the accreditation system only allows CSOs to submit documents and written resolutions to ASEAN which rarely lead to meaningful outcomes (Rother & Piper, 2014, p. 6).

Aside from engaging ASEAN through its accreditation mechanism, civil society is also invited to provide inputs and recommendations through ad hoc consultations. For instance, the civil society was consulted by the EPG during the drafting of the ASEAN Charter and was formally allowed to have a "consultative relationship with the ASEAN Intergovernmental Commission on Human Rights (AICHR) (Tager, 2019, p. 147). These spaces created by ASEAN for CSOs provided the latter political opportunities to engage with decision-makers but not really to influence policy formulation.

Similar to the business sector and think tanks in the region, the civil society was also consulted by the EPG during the drafting of the ASEAN Charter. The main CSO network involved in the process was SAPA. Taking advantage of EPG's regionwide consultations with stakeholders, SAPA submitted its recommendations to the Group based on collected information gathered from various in-country consultations. The main points of SAPA's proposal included the following themes: environmental sustainability, agricultural practices, and energy consumption; institutionalization of CSO involvement in ASEAN decision-making; and positioning human security, including human rights and human dignity, at the center of ASEAN's raison d'être (Collins, 2008, p. 323). The submission made by SAPA was initially well-received by the EPG. However, while the latter envisions a role for CSOs, such a role does not include solving the problems confronted by the people of ASEAN (Ibid.).

The HLTF showed a much more reserved attitude toward the positions made by CSOs (Rüland 2018, p. 90). Notably, SAPA's recommendations were not considered by the HLTF in the final version of the ASEAN Charter (Gerard, 2014, p. 94). The Charter signed in 2007 did not institutionalize the role that the civil society wanted to assume (Collins 2008, p. 326). The ASEAN apparatus continues to be state-centric with no space for civil society participation (Ibid.). SAPA criticized the "ASEAN Way" and the "principle of non-interference" as well as the Charter's failure to address socio-economic justice and human rights infringements in pursuit of national interests

(Igarashi, 2011, p. 18). It also disapproved of the use of "people-oriented" rather than "people-centered" ASEAN in the ASEAN Charter (Ibid).

Frustrated with the resulting ASEAN Charter, the civil society came up with a People's Charter reflecting their alternative view of regionalism. The document mirrored the "uneasiness of the people of Southeast Asia to allow a handful of ASEAN policy-makers to decide their fate" (Chandra & Djamin, 2007). However, despite the efforts exerted by civil society in drafting the People's Charter, there were no references made to it after it was created (Tager, 2019, p. 150).

Focusing on human rights issues, ASEAN started engaging with CSOs even prior to the adoption of the Guidelines on the AICHR's Relations with Civil Society Organizations in February 2015. The AICHR's Terms of Reference (TOR) and Rules of Procedure allow the body, albeit in vaguest expression, to engage in dialogue and consultation with entities associated with ASEAN such as CSOs and other stakeholders (Tager, 2019, p. 148). Thus, initial consultations were initiated by former ASEAN Secretary-General Pitsuwan through ASEAN-ISIS in 2008 (Gerard, 2015, p. 374-375). These meetings were classified as "informal" to avoid the opposition of some ASEAN member states and to indicate that consensus of members is not required for the meetings to proceed (Ibid.). While these informal meetings provided opportunities for CSOs to present their position to AICHR, these engagements did not translate into actual human rights commitments (Ibid.).

Following the issuance of the Guidelines on the AICHR's Relations CSOs, ASEAN began to formally engage with the civil society. However, similar to the ASEAN Engagement with Entities explained earlier, the AICHR Guidelines restrict the ability of CSOs to help shape the ASEAN human rights regime. Article 9 of the AICHR CSO Guidelines provides ASEAN member states a de facto veto over any application made by CSO who would like to work with ASEAN (Tager, 2019, p. 148). The Guidelines also require CSOs to comply with national obligations, refrain from any conduct which will challenge the mandate and responsibilities of the AICHR, and avoid engaging in politically-motivated activities against any member state (Ibid.).

The initial drafting of the ASEAN Human Rights Declaration which was done in secrecy, (Tager, 2019, p. 153) was highly criticized by the international community including the United Nations and Amnesty International (Gerard, 2014, p. 140). Responding to these international criticisms, each AICHR representative was allowed to choose four CSOs to attend the consultation. Again, such a system limited the participation of CSOs to those organizations with national affiliations and friendly towards ASEAN member states and excluded civil society groups promoting reforms and challenging ASEAN (Ibid).

While these consultations enabled the CSOs to draft common policy positions, the last Joint Submission they made came belatedly because ASEAN already concluded its negotiations on the text of the Declaration (Tager, 2019, p. 154). This made it difficult for them to introduce changes in the text considering the "veto power" that each AICHR Representative had over the proposed changes (Ibid.). As such, similar to their previous strategy when the ASEAN Charter was finalized without their recommendations, CSOs endorsed their own "ASEAN People's Human Rights Declaration to be utilized as an advocacy tool and an instrument for capacity building and awareness among domestic audiences (Ibid.).

The experience of the civil society in engaging ASEAN during the drafting of the ASEAN Charter and the ASEAN Human Rights Declaration illustrates how ASEAN's top-down approach narrows the political space of CSOs to advance alternative regionalism. It also questions whether direct engagement with ASEAN produces meaningful results. Due to this marginalization in ASEAN established spaces, civil society tried to use informal bottom-up channels to promote their agenda. These so-called "created" spaces that bypass regional and state actors include forums parallel to ASEAN meetings, protests, and production and dissemination of critical knowledge (Gerard, 2014).

Rother and Piper (2014) recognize the benefits of advancing alternative regionalism through an informal bottom-up approach arguing that this enables CSOs to engage with different actors and

provide the foundation for eventual improvements in their relationship. Gerard (2014) also acknowledges that these created spaces are more flexible since CSOs are free to conduct their own activities and decide who can participate in the process. However, engagement in created spaces is still designed to influence regional policies, thus, they are still structured relevant to ASEAN practices and with the end goal of gaining an audience with ASEAN officials (Ibid.).

Advancing alternative regionalism outside ASEAN-sanctioned spaces is not without challenges. There have been many occasions of friction between ASEAN member states and CSOs. For instance, during the IMF-World Bank meeting held in Singapore in September 2006, Singapore prevented certain CSOs to participate in the meeting while the others who were granted permission were only allowed to gather in a small area inside the Suntec City (Collins, 2008, p. 320). In 2009, during the interface meeting between ASEAN and CSOs, Myanmar protested the inclusion of a particular CSO delegate. In the same year, at ACSC/APF assembly, five out of the 10 CSO participants who were selected by their peers were banned from attending the official ASEAN-CSO interface (Lim, 2011, p. 25). In 2019, ACSC/APF was denied to have an interface dialogue with ASEAN leaders during the ASEAN Summit in Thailand (Auethavornpipat 2019). In those few occasions where interface sessions had been allowed, such sessions were characterized as rigid and portrayed the constant struggle against state domination (Rother & Piper 2014, p. 7).

Similar to forums conducted parallel to ASEAN Summits, CSOs also organize protests alongside ASEAN meetings (Gerard 2014). While these are commonplace in democratic states in the region such as Indonesia, Thailand, and the Philippines, civil society protests in authoritarian states like Myanmar and Vietnam are usually followed by brutal crackdowns (Ibid.). Legislations such as Singapore's Internal Security Act and Malaysia's Security Offenses (Special Measures) Act have also been in place to hold civilians accountable without trial and minimize dissent (Ibid.). As such, political protests as a means to influence national governments and ASEAN are likewise not effective considering the different political systems and interests of member states.

Similar to think tanks, CSOs also contribute to shaping the perspectives of ASEAN on different issues concerning the region. They conduct research, publish articles, and submit position papers enabling them to present alternative views both to ASEAN officials and domestic constituencies (Gerard 2014). The major CSOs in the region have their in-house think tanks such as Forum-Asia, the Southeast Asian Committee for Advocacy, Focus on the Global South, and AsiaDHRR (Ibid.). Producing and sharing critical knowledge is an important form of political participation. However, their value depends on reaching the right audience and the consideration of ASEAN and its member states. Since the works of CSOs are not solicited, there is no means to measure if they impact national and regional policy formulation (Ibid).

Conclusion and Recommendation

ASEAN is the key driver of regionalism in Southeast Asia. Despite its perceived weaknesses, ASEAN has transformed the region from being a mere grouping of states to an important international actor. Judging the accomplishments of ASEAN objectively would require one to note what ASEAN really is and what ASEAN is not (Villacorta, 2018, p. 3). For instance, regionalism advanced by ASEAN is different from the one designed by the EU, the latter being a supranational organization. In contrast to the EU which progressed on "shared sovereignty", ASEAN developed by reinforcing state sovereignty (Igarashi 2011:7). ASEAN also has no mandate to resolve territorial disputes, as many expect it to do on the issue of the South China Sea. ASEAN's mandate is only to ensure that member states and dialogue partners will not resort to the use of force in resolving their conflicts (Villacorta, 2018, p. 3).

It can be argued that ASEAN's strengths include promoting peace among its members, maintaining international standing, and building the region's political and security architecture. This can be attributed to ASEAN diplomatic norms such as the ASEAN Way and ASEAN Consensus which are considered "intangible heritage of Southeast Asian diplomacy" (Villanueva & Manalo 2017). However, the practice of such norms also weakens the ability of the Association in addressing hard security issues such as economic crisis and environmental issues. ASEAN is also criticized for being an "elitist" organization, being too process-oriented, and having shallow consensus on critical issues that need solid commitment (Baviera, 2017, p. 1).

Due to the problems arising from ASEAN's top-down approach to regionalism, alternatives to ASEAN-led regionalism are offered by key non-state actors in the region. The business sector, think tanks, and civil society is among the prominent groups influencing ASEAN policymaking. While there is a common understanding that engaging the people is important to achieving an ASEAN community, non-state stakeholders face difficulties in promoting alternative regionalism.

ASEAN has provided a political space for non-state actors to engage with ASEAN. ASEAN created a mechanism where organizations can apply for accreditation. It also initiated ad hoc consultations

with non-state actors on important matters such as the drafting of the ASEAN Charter and the ASEAN Human Rights Declaration.

The business sector and think tanks were able to utilize this space to promote their agenda. Their proximity with ASEAN served as an opportunity to influence regional decision-making and shape ASEAN policies. For instance, the business community was able to help ASEAN in deepening economic cooperation and integration. Think tanks were also effective in acting as "norm entrepreneurs" and "idea generators" during times of instability as seen in the aftermath of the Asian and Global Financial Crises.

However, official linkage to ASEAN does not always guarantee success in terms of advancing alternatives to regionalism. As in the case of the ASEAN Chamber of Commerce and Industry which was replaced by the ASEAN Business Advisory Council the moment ASEAN realized that it no longer served its purpose. The activism of ASEAN-ISIS in bringing ASEAN closer to the people through the creation of the ASEAN People's Assembly also failed because it was not supported by ASEAN member states, particularly non-democratic members.

The major civil society networks in the region such as the Solidarity for Asian Peoples' Advocacy and the ASEAN Civil Society Conference/ASEAN People's Forum are not formally associated with ASEAN and prefer to engage the Association through their "created" spaces. The civil society's experience with ASEAN when it participated in the now-defunct APA and their failed attempt to influence the drafting of the ASEAN Charter and the ASEAN Human Rights Declaration brought them valuable lessons in engaging ASEAN. Such ASEAN established space narrows their possible contributions to policymaking, limits their ability to influence regional decision-making, and only furthers ASEAN's interests (Gerard 2015).

At present, civil society groups are active in advancing their agenda outside ASEAN. They conduct activities parallel to ASEAN, organize protests, and produce and disseminate critical knowledge which can be shared with ASEAN officials and domestic constituencies (Gerard 2014). While these

forms of political participation promote unity among civil society organizations and allow them to have a common policy stand, CSOs remain marginalized in the ASEAN decision-making process. The fundamental problem lies in the attitude of ASEAN toward civil society. As Rahman (2016:4) puts it, ASEAN member states have reservations in engaging CSOs believing that their enhanced participation in governance will diminish their power, democratize governance, and eventually undermine state narratives.

Despite the unsteady and challenging relationship of ASEAN and non-state actors in the region, it cannot change the reality that for ASEAN to become truly people-centered, it should accommodate non-state stakeholders in the regional decision and policymaking processes. ASEAN should take advantage and maximize the expertise of the business sector, think tanks, and CSOs in addressing issues that go beyond its capacity. Noting the different political systems in the region, democratic states should encourage non-democratic members to allow non-state actors to emerge and participate in policy formulation. The ASEAN Foundation which is primarily tasked to collaborate with stakeholders should be given a more proactive role in engaging relevant entities that can contribute to ASEAN community building.

Non-state actors should continue to work with ASEAN in ASEAN-sanctioned spaces and whenever their assistance is solicited. Instead of competing with one another, non-state actors should find common grounds where they can collaborate and engage ASEAN on various issues. They should also strategically exploit the support of the international community given ASEAN's sensitivity to its international reputation as seen during the drafting of the ASEAN Human Rights Declaration. CSOs should expand their "created" spaces and introduce alternatives to regionalism at the local level considering the challenges they face at the national and regional levels. CSOs are more likely to gain the confidence, respect, and trust of local communities given their perceived impartiality, independence (from state and law enforcement), neutrality on contentious policy issues concerning the region (Allison & Taylor 2016, p. 10).

Prospects for a More Progressive ASEAN

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The report is an exhaustive review and the documentation of the evolution and development of ASEAN as a regional organization which emerged in the shadow of the Cold war and the Vietnam War. It has been able to cover a broad range of issues involving both the formal ASEAN procedures and processes as well as the emergence and dynamics of NGO engagements with ASEAN.

For the last 50 years ASEAN has endeavored to establish its own identity and relevance by distancing itself from great power politics while trying to fulfill its main objectives of maintaining peace and security in the region; dealing with interstate tensions and conflicts; addressing external threats ; and promoting socio economic development among its member states. Since its founding, ASEAN- mainly a state centric organization has struggled to define its norms, processes and mechanisms in these issues which the authors aptly describe as "regionalism from above". The study however has not included a gender perspective in looking at the male-centric and gender blind processes and procedures of ASEAN which could have partly explained the propensity of the organization in focusing mainly on political and security issues in its long years of existence. However, lately the strong lobbying for the inclusion of gender dimension and the participation of women in the economic growth of ASEAN has been belatedly recognized.

In the last decades, **the study noted an increasing engagement of ASEAN with non-state actors in the region which have been demanding openness, transparency and participation in the shaping of ASEAN towards a more democratic and progressive organization.** Despite its mostly conservative agenda, ASEAN has not been immune from the developments from influences generated by a more open United Nations which created an NGO Committee to institutionalize the participation of the NGO Committee in most UN bodies and processes. The active participation of NGOs and sectors of civil society such as business, academia and other

institutions have constituted the phenomenon of "regionalism from below" which the authors divide between ***mainstream regionalists*** *mostly associated with business and the academia* ***and progressive regionalists*** *consisting mainly of NGOs steeped in human rights, environment, and social justice issues.*

The report notes the slow progress made by ASEAN in: (a) resolving conflicts within and among the AMS; and (b) giving substantive latitude in considering and accepting the numerous recommendations submitted by civil society in its many years of engagement through the ASEAN NGO Conference, Peoples' Assembly and the SAPA.

The lack of timely action on the part of ASEAN stems from its own self-imposed constraints of non-interference in each other's internal affairs; respect for each other's sovereignty and decision making by consensus. Examples given by the study is the lack of cohesive response to the aggressive incursions in the territorial waters of the Philippines, Vietnam, and Indonesia which China claims to be part of the South China Sea. Another example cited is the lack of decisiveness in sanctioning Myanmar's violent military takeover and repression of its citizens.

This inability to resolve its own internal conflicts which the study failed to point out is starkly illustrated by the resolution of interstate conflicts not by ASEAN mechanisms of dispute resolution but by UN bodies such as the International Court of Justice in the case of the Thai-Cambodian temple over heritage temple issue; the South China Sea dispute where the Philippine lodged the complaint in the ICJ rather than within ASEAN; and the slow progress in the full implementation of the Code of Conduct governing the South China Sea issue. Wracked by its diverse internal agendas in dealing with China, ASEAN is unable to proceed with decisiveness on the issue. A more recent and glaring failure is its inaction on the issue of Rohingya expulsion and atrocities by the Myanmar military against innocent civilians.

The issue of observing and compliance with UN standards and norms on human rights principles and practice on issues of freedom of the press, assembly, and expression is

another contentious area for which there is no unanimity within ASEAN. While it has made concessions in including HR in its Charter and in drafting the ASEAN Declaration on Human Rights, both were heavily criticized for being long in rhetoric but short in implementation.

The study correctly points out that ASEAN takes a more proactive and supportive role in encouraging and assisting the business sectors in its project of economic integration. Institutes of Strategic Studies and the ARF forum are considered strategic in focusing mostly on security cooperation rather than broadening its agenda to include social justice and human rights issues under the Socio-Cultural Pillar.

The establishment of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children and the Committee on Migrant Labor while commendable and positive are made ineffective by the fact that representatives mostly come from government and represent government interests and are not endowed with resources and funds to make timely interventions in line with its protection mandates. So far, these bodies and mechanisms have become platforms for debates and discussion of issues but not empowered to make decisions and take decisive actions on critical issues and emergencies.

While the structure of ASEAN has been neatly divided into three pillars with clear long-term directions – coordination and complementation between and among the three pillars are very weak and almost non-existent. There is an inordinate attention and resource support given to the economic and business sectors while very little is done in the area of socio-cultural issues including health, gender, migrant labor, and human rights.

An Alternative Regionalism? **NGOs and civil society in general have been persistently calling for an Alternative ASEAN and Alternative Regionalism out of frustration on the consistent failure of ASEAN to live up to its promise of a people-centered, rules-based organization.** The channels for civil society and the interface dialogues between the official bodies and the NGO

community have so far been ritualized engagements where no substantive changes have been achieved.

While NGOs have been accommodated in some ways including increased consultative processes most NGOs are held in check by the restrictive guidelines on NGO participation. In addition, there is no tracking or monitoring of substantive recommendations advanced by the NGO community.

Many of the adopted suggestions- establishment of human rights bodies –AICHR, ACWC CML have gained momentum from the dynamic engagements and push from the NGO community. **A critical issue to NGOs is the lack of accountability, legitimacy, and capability of ASEAN to account for the actions and violations committed by ASEAN member states in responding to its citizens' urgent issues and concerns.**

Given the reality that no significant nor drastic changes can be achieved in the vision mission as well as processes and norms of ASEAN as a regional organization, **NGOs can at best act as a strong fiscalizer for a range of issues including – reforms within the economic integration agenda; more proactive and bold human rights advocacy for immediate actions in emergency cases that are victim-centered and gender-sensitive especially during conflict situations; demand for accountability for perpetrators of atrocities and crimes against humanity, etc.**

While civil society has been able to advance such significant reforms by working within and without ASEAN organization such changes are still incremental and decidedly insignificant. On the other hand, **the prospect for a more progressive ASEAN seems to have dimmed with the persistence of and institutionalization of authoritarian regimes and military dictatorships that have been able to coopt electoral processes and undermine democratic institutions. This calls for another phase of the study to look at the dynamics of ASEAN countries' struggle for a truly people-centered ASEAN regime of the future.**

Desperately Seeking a People-Centered, Transformational ASEAN: Notes from the Margins

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Since the establishment of the Association of Southeast Asian Nations (ASEAN) in 1967, its member-states have been consolidating their power and resources to not only achieve peace and prosperity, but also make a mark in the global arena. Interestingly, principles and structures have also been curiously put in place to effectively serve state-defined national identity, interests and security. Both ASEAN Way and Centrality have greatly influenced its ways and means of dealing with political, social and economic issues from within and outside the region. Such "institutionalized" personality and positionality, unfortunately, forces those who are misaligned with the agenda to the margins or to exclusion.

Hopelessly Devoted

In recent years, ASEAN took a more "people-oriented" stance, which allowed privileged "outsiders" to take part in formal spaces. As a queer human rights academic-activist, I often condition myself to hold/sit tight, play by the rules, and set meager expectations when dealing with this Inter-governmental body. However, more often than not, people like me are called out, if not silenced, when expressing values and ideas perceived to be radical or inappropriate to their taste. Despite such unfavorable treatment, many like myself are still eager to deal and negotiate with ASEAN, which has cemented its reputation as the formidable representative of Southeast Asia.

This report "Regionalism from above, regionalism from below: The ASEAN and Possibilities for a Transformative Regionalism" is generally optimistic that transformational regionalism can probably take place with ASEAN taking the driver's seat. Furthermore, it provides a critical, comprehensive (and hopeful) take on what it can and should accomplish in order to make itself adaptive and responsive to the needs and demands of the region, particularly the people. In this light, the report is able to articulate the following key insights and analyses:

- ASEAN originated from the necessity to pick itself up from the rubbles of colonial rule, socio-economic distress, and intense pressure from global superpowers. Hence, its humble beginnings reflected the rise of a secure and stable region from the ground.
- Regional documents have been produced and propagated to adequately provide frameworks, mandates and opportunities for the Association and its member-states to legitimize its power, and to a certain extent, work closely with individuals and entities to achieve various goals. Moreover, technical and financial resources and wisdom have been accumulated over decades to realize them.
- Member-states have expressed enough political will to drive ASEAN into a more inclusive and transformative regional force.
- A range of accredited entities now serve to address diverse issues at the pleasure of this regional body. Indeed, ASEAN and its member-states have a way of meticulously selecting who to interact and collaborate with. It created and conditioned an iron bubble whereby knowledge, action and values are regulated and monitored.
- Despite ASEAN's oblivion, civil society organizations continue to be the *de facto* voice and representative of Southeast Asian peoples, particularly the marginalized and oppressed. Despite shrinking spaces and resources, critical platforms have been created and sustained for critical dialogues and action to address the sensitive and burning issues.

This report has the potential to contribute to existing efforts that problematize regional governance and leadership, as well as the creation of alternative solutions to persisting challenges commonly faced by ASEAN peoples. In order to achieve meaningful transformation, hard (and uncomfortable) questions must be asked to enlighten us about structural barriers and, more importantly, lived experiences and aspirations on the ground.

Regionalism for and by Whom?

In both academic and civil society spaces, ASEAN is traditionally and commonly interchanged with the term Southeast Asia. Such disposition actually limits not just the geographic scope of the region, but also issues and voices that are brought to the table. Furthermore, it strengthens the

legitimacy of its purposes and principles. Therefore, ownership of the region belongs to member-states, not the people who are the rightful sovereigns.

The construction and expression of regional identity is crucial to be able to not only identify constituents, but also address their needs and concerns. Based on my experience, ASEAN has carefully calculated and designed values and characteristics that the people should possess and hold dearly. Perhaps, this is where "unity in diversity" comes into play, whereby common traits and practices are consolidated to achieve regional solidarity. In the process, "outliers" are ignored, silenced, or excluded. Sadly, they belong to communities/societies that are systematically left-out, abused, and taken for granted.

As a result, ASEAN has turned itself into an exclusive club of its faithful followers. Member-states have a huge say on who to invite in meetings and who are given license to conduct activities. Organizations have to abide by its principles and strict rules to be granted recognition by the Association. In fact, human rights organizations have to undergo a tedious accreditation process in order to interact with the ASEAN Intergovernmental Commission on Human Rights (AICHR.) Even the use of ASEAN by any organization merits permission from the association. Furthermore, inputs from non-accredited organizations are at best acknowledged, but often shut down.

Whether we admit it or not, regionalism either from above or below is still greatly at the disposal of ASEAN and its member-states. As long as it stays this way, those in power together with entities they choose to associate with shall be the only ones to benefit from their imagined peaceful and prosperous regional community.

Who will and should Adjust?

Throughout the years, many regional and grassroots organizations have constantly adjusted their strategies, language and principles in order to grab the attention of ASEAN. Inspiring or pressuring member-states to lead and actualize a people-centered regional community has been, and is still extremely exhausting, costly, and frustrating. Despite increased calls to cancel ASEAN

out due to lack of efficiency, sincerity and relevance, I believe that redemption is possible. However, it requires overhauling its value systems and ways of working to make it happen.

- *From Statements to Legally-Binding Commitments*: ASEAN had always taken a safer stance on critical matters such as human rights. This gave permission for governments to prolong or turn a blind eye on systemic oppression within the region. It is about time to formally recognize and include sectors and communities that have long been maligned/marginalized such as LGBTIQ+, indigenous and stateless peoples.
- *From Exclusion to Collaboration*: ASEAN should relax its rules of engagement, particularly for "outsiders." Hence, it should open itself to working with individuals and organizations that bring critical and sensitive insights and issues to the table. This could potentially reform or improve how regional policies and actions are impacting the lives of the people.
- *From Immunity to Accountability*: If it wants to legitimately govern the region, ASEAN should always be fully responsible for its actions and inactions. Information has to be fully disclosed, and be subject to scrutiny by the people. Mechanisms and resources have also to be made available for those who seek remedies and reparations.

Our lived experiences of the COVID-19 pandemic and democratic backsliding only raise more doubts about the ability and integrity of ASEAN in forging and sustaining a peaceful, prosperous, safe and healthy region. If it persists to stick to its programme, then, it has to be strongly reminded that more inclusive, people-driven alternatives are on stand-by to take its place.

The ASEAN Regionalism Project: Tempering our Expectations

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There is a long way to go before the citizens of the ten ASEAN Member States would recognize and identify themselves as ASEAN citizens. In the past many surveys conducted to determine the familiarity and identification of ASEAN among its citizens, the concept of feeling and identifying the relevance of the regionalism project still leaves much to be desired. Indonesians, whose country is the logical leader of the organization, generally identify themselves as Indonesians. Singaporeans still identify themselves as Singaporeans. The Vietnamese still identify themselves as Vietnamese. Filipinos identify themselves as Filipinos, and so on with the Thais, Malaysians, Bruneians, Laotians, Cambodians, and the people of Myanmar. Among others, the symbols that have been developed to foster an ASEAN Identity are still far from being embraced by its citizens.

There is the view that ASEAN is an elitist association of leaders and officials of the governments of the Member-States. But according to former Philippine Ambassador to ASEAN Wilfrido Villacorta, despite its perceived weakness, ASEAN as an organization has transformed the region from being a mere grouping of states to an important actor in the world stage. There is a need, however, to understand what ASEAN really is. ASEAN is different from the European Union which is a supranational organization that developed on a "shared sovereignty" among its members. In contrast, ASEAN developed by reinforcing individual state sovereignty as enunciated in the basic principles of the ASEAN Way and ASEAN Consensus. ASEAN's missions are to promote peace among members, maintain international standing, and build the region's political and security architecture. The application of such principles, however, weakens the Association's ability in addressing hard security concerns, and reinforces the impression that it is too much process-oriented and unable to come up with solid commitments on critical regional issues.

The issue of making ASEAN relevant to its citizens or developing a common ASEAN Identity is one of the key objects of the different pillars of ASEAN, particularly that of the ASEAN Socio-Cultural Community. The ASCC recognizes the need to bring the ASEAN process closer to the people to fulfill its objective of being people-centered.

There is a need to take stock of how the Association has worked with non-state actors through the years. This report identifies three major non-state actors that have been playing alternative roles in the traditionally top-down approach to regionalism. The business sector, think tanks and civil society organizations have been trying to influence policy making in the region, albeit with various degrees of challenges and successes.

Among observers, the greater attention given by ASEAN to the business sector compared to the other two sectors, particularly the civil society, has been very noticeable. The governments have listened more closely to the concerns raised by the economic actors, especially the bigger economic players such as multinational corporations. This has made "initiatives for deeper integration…becoming increasingly irrelevant for the people". In the ASEAN Charter, the interests and positions of the business groups were included almost unaltered.

Currently, the ASEAN Business Advisory Council has the biggest contribution to regional economic integration although its participation is characterized by limitations and challenges. These include the frequent leadership change, the manipulation being done by the Member-States, the limited resources of the Council, time management issues among its members vis-à-vis their respective businesses and the demands of the Council, their inability to come up with timely policy recommendations, and their struggle to include the small and medium-sized businesses in the Council's activities.

Within the region, think tanks have been credited for advancing the alternative to regionalism by conducting research, recommending policies, framing policy debates and narratives. Compared to their European counterparts which highly influenced their creation, ASEAN think tanks are mostly

affiliated with their governments. The affiliation gave them the power to influence policy discourse and access to decision-makers, something which does not sit well with some scholars. In fact, some think tanks have been accused of being agents and enablers of "ASEAN's corporatist model of regional governance".

Despite these criticisms, some of these think tanks, notably the ASEAN-Institutes of Strategic International Studies, have been credited in the development of security cooperation in Southeast Asia as well as in the wider Asia-Pacific region, leading to the creation of the ASEAN Regional Forum. Think tanks have also advocated for inclusion in the ASEAN Political-Security Community the important components of human rights, democracy, and rules-based organization.

A major criticism against think tanks is their failure to promote people's participation in the decision and policy making processes of ASEAN. There are quarters who contend that co-opting the civil society and the people remains the key to the promotion of ASEAN identity towards a stronger and more relevant regional organization.

Admittedly, the role played by regional civil society organizations is one of the most important but least understood aspects of building the ASEAN Community. For the Philippines, at least, civil society groups have been very instrumental in building networks of people's and nongovernment organizations across the region encompassing various issue areas. As such, they have been able to influence changes in attitudes in ASEAN towards specific concerns affecting people in the region.

One of the major accomplishments of the civil society sector in shaping the direction of ASEAN is around human rights. The network of civil society actors within the region challenged the assertion held by Member-States that human rights issues are internal concerns where the principle of non-intervention must be applied. This is amid various human rights violations in the region, particularly those happening in East Timor and Myanmar. None of the individual ASEAN states initially refused to officially address the issues. In December 1991, a regional network of human rights and development organizations in South and Southeast Asia established the Asian

Forum for Human Rights and Development (Forum-Asia) which sought to respond to the human rights concerns in the region. The Forum became the most important conduit through which civil society groups made inroads into the process of ASEAN. This was followed by the establishment in 1996 of the Working Group for an ASEAN Human Rights Mechanism composed of lawyers and activists from Indonesia, Malaysia, Thailand and the Philippines. The Working Group sought to organize a network with nongovernmental working groups in each member country as it negotiated with the ASEAN foreign ministers for the establishment of such a mechanism. The process happened due to the frustration of human rights workers over the noncommittal position of Member-States on the establishment of a human rights mechanism.

A series of meetings through the years ensued where a major milestone was the joint communique during the 26th ASEAN Foreign Ministers' meeting where it was stressed "that the violation of human rights must be redressed and should not be tolerated under any pretext". It stressed the importance of strengthening international cooperation on the issue, and that all governments should uphold human standards and respect human dignity. Unfortunately, while the ministers supported the initiative, a condition was set stating that national committees must be set up first prior to the provision of support from the individual governments. Despite the difficulties, Indonesia, Malaysia, Thailand and the Philippines were able to set up informal working groups.

Other countries promised to initiate steps towards establishing their national committees, but no breakthrough happened afterwards because of the ASEAN principle that the organization must act only in areas where there is already a consensus. Human rights is an area where there is significant disagreement among members because of varied political systems and ideologies. Prior to the ratification of the ASEAN Charter, the Foreign Ministers asked the assistance of the Working Group to draft a blueprint for a mechanism to address women's and children's rights, as well as migrant workers' rights.

With the ratification of the Charter, however, all the concerns on the establishment of a mechanism for human rights as well as the other rights were superseded. The blueprint for the Political-Security Community, guided by the provisions of the Charter, included the general promotion and protection of human rights, not just women's, children's, and migrant workers' rights. All of these led to the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR). During the discussions on the drafting of the ASEAN Charter, the establishment of the regional human rights body was a major highlight with civil society groups largely supporting its ratification despite what they felt were significant shortcomings in the document.

The drafting of the Charter involved regular consultations with civil society organizations. Included during consultations were academics, an Eminent Persons Group, a High-Level Task Force, all of whom were responsible for inputs to the different blueprints. It must be noted, however, that the consultation process was uneven across the different Member-States. Extensive consultations were done in Indonesia, the Philippines, and Thailand, while lesser consultations were done in Cambodia, Laos, Malaysia and Singapore. The process was almost non-existent in Brunei and Myanmar.

What was observable during the process of Charter ratification was the broadening constituency of ASEAN. Civil society actors were included in the works of the Eminent Persons Group and the High-Level Task Force. The inclusion of the more progressive elements in the Charter was primarily due to this broadened constituency.

Various critics of the Charter, however, point out that the provisions on human rights did not really give teeth in addressing concerns rendering it not credible. The Charter was criticized by think tanks and academics as "void of the vision, progress and courage that is needed to guide ASEAN to face the future". For the think tanks, it showed their inability to influence the final draft despite their presumed proximity to the Association. It showed that major decisions and

processes remain hostage to the Association's elitist and state-centric nature, and the individual interests of its members.

For the more progressive stakeholders, it may appear that after more than a decade of working with ASEAN, the size of the opening for collaboration is not really what it seems but, still, gains have been made. Mutual suspicions still exist but the change in attitude is discernible, with the now regular consultations between ASEAN officials and civil society groups already established. There are still rough edges in the relationship, with some Member-States trying to control civil society engagement at the national and regional levels. At this point, the most important thing is to continue the processes of consultation, cooperation, and collaboration. All these efforts are needed to establish an ASEAN Identity that goes beyond the still predominantly statist orientation in the region.

More than 50 years after the establishment of ASEAN, and more than a decade after the participation of non-state actors has been accepted, the relationship between ASEAN, as an Association of states, and the non-state actors remains challenging. But if ASEAN is to really succeed in its regionalism project with the characteristic of being truly people-centered, accommodation of the non-state actors in decision and policymaking is the imperative. It should engage and maximize the expertise coming from the business sector, think tanks, and the civil society organizations particularly for issues beyond the Association's expertise and capacity.

There are many challenges that beset the regionalism project. But the processes that shape the current and future directions of the region must continue. Engagement with all stakeholders must continue. The citizens of the ASEAN must be aware and made to feel the relevance of what is going on. But while doing so, we must temper our expectations: continually defining what ASEAN is, where is it going, and what it can and cannot do.

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