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Book Review

*Contemporary Conflicts in Southeast Asia:
Towards a New ASEAN Way of Conflict
Management.* By Mikio Oishi (Ed).

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ASEAN has been recognized as among a success story of regional cooperation in the developing countries. Despite the facts that the Association consists of countries with different ethnics, religions, cultures and political systems, even levels of economies and development, ASEAN can continue to exist. ASEAN has also reduced tensions, created economy cooperation, lessened security dilemma, and made war between its members seem unlikely. To achieve this level of collaboration the Association has a substantial basis for supporting its existence, among other things, namely the ASEAN Way.

The previous account about ASEAN Way mostly focuses on descriptions of a set of norms and procedures by which the Association would manage conflicts. ASEAN Way consists of the norms stipulated by the Treaty of Amity and Corporation (TAC) and the style of diplomacy emphasizing an informal and incremental approach to consensus through the habit of consultation and dialogue. ASEAN Way includes the principle to seek consensus and harmony, sensitiveness, politeness, non-confrontation, and agreeability. ASEAN Way is also a quiet, an elitist and a non-legalistic approach of diplomacy among ASEAN member states.

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How has the ASEAN Way functioned when it comes to implementation in the conflict managements? Has ASEAN Way contributed in the conflict management in Southeast Asia region?

Unlike previous works on ASEAN Way, this book highlights the story of how the ASEAN Way applied beyond its diplomatic rhetoric. This book offers a snapshot of ASEAN Way in the context of Conflict Management known as ASEAN Way Conflict Management (AWCM, hereafter AWCM). This book departs from the optimism that ASEAN possesses an inherent crisis management capacity, which can be identified in how the Association has responded to particular conflicts in the region. This perspective is a new general knowledge and an outstanding contribution to what we have already known about the ASEAN Way.

Employing seven conflicts in contemporary Southeast Asia intrastate and interstate the book examines actual cases of conflict in the post-Cold War ASEAN region. Those cases are as follows: First, two ethnic conflicts of Aceh in Indonesia and Mindanao in the Philippines. Second, the political conflict in Myanmar arising from the country's democratizing process. Third, the dispute between Cambodia and Thailand over the land surrounding the Preah Vihear Hindu temple. Fourth, the conflict between Indonesia and Malaysia over the Ambalat sea zone. Finally, the South China Sea (SCS) dispute, which involves not only four ASEAN member states but also several non-regional countries or entities.

The book consists of nine chapters as follows:

Chapter 1 (Introduction: The ASEAN Way of Conflict Management?), explores how the AWCM mechanisms have worked in Southeast Asia's conflicts management in general. Based on the insight that the ASEAN Way functioned well in the regional dynamics in the era of post-Cold War, the chapter identifies new challenges inherently rested in the regional conflict management. The chapter also discusses several concepts as the foundation for the explanation of the whole story of the book. This introductory part highlights some issues such as Regime Incubator, Conventional ASEAN Way of Conflict Management and its New Challenges, Incompatibility Management, and Mediation Regime. In short, this chapter provides a

landscape to comprehend the full analyses of the ASEAN Way as a conflict management mechanism.

Chapter 2 (Ending a Long-Standing Intrastate Conflict through Internationalization: The Case of Aceh in Indonesia) provides narratives on intrastate conflict in Aceh and examines to what extent the AWCM operated in the Aceh case. This part is a historical account of the Acehnese, which suffered from two armed conflicts in the country's post-independence history and focuses on the struggle of the Free Aceh Movement (GAM). The conflict provides a broad range of conflict management measures, including military operations and negotiations, were employed to address the conflict before it was finally brought to an end peacefully in August 2005.

In the AWCM perspective, Aceh conflict presented a lesson how the conflict was internationalized as it went beyond the national and regional boundaries. Internationalization of the conflict came to fore since GAM leaders who had exiled to Western countries promoted their cause from their foreign bases and invited the engagement of the state actor likes Libya and Non-State Actors such as the UN and International NGOs to participate in conflict resolution. Internationalization of the conflict had invited mediation led by international non-governmental organizations (NGOs) which then played a crucial role towards the final stages of the conflict.

Internationalization made the Aceh conflict was beyond the ASEAN Way of conflict management. The ASEAN Way mechanism dictates that any intrastate conflict is better to be handled by preventing it from becoming internationalized. As a regional organization, ASEAN did not play a principal role in the conflict management. However, this association eventually found a consistent role in efforts to keep the peace process on track.

Chapter 3 (Not the ASEAN Way: The Southern Philippines Conflict and Its Internationalization) discusses the fight between the Philippine government and the Bangsa Moro in the Southern Philippines. It traces the origins of the long-running battle, the rise of secessionist movements, and the numerous peace methods to the contemporary day that has attempted to find a peaceful resolution to this conflict.

The chapter also underscores the role of external international actors in managing incompatibilities between the two sides in over 40 years of negotiations and international players' role in the peace processes towards the formulation of the 2014 Comprehensive Agreement on the Bangsa Moro (CAB). The author(s) again noted that the conflict could not be solved internally in the conventional ASEAN Way and any ASEAN's Mechanism in dispute settlement. Thus, the conflicted actors allowed a third party to mediate, initially the Organization of the Islamic Conference (OIC) or Organization of Islamic Cooperation--since June 28, 2011, and Indonesia with the Moro National Liberation Front (MNLF), and Malaysia with the Moro Islamic Liberation Front (MILF).

Chapter 4 (ISpiralling Insurgency in the Deep South: Thailand's Unseen Road to Ethnic Conflict Managementz) looks at how the on-going ethnic conflict in southern Thailand. The conflict has been among the most intense and intractable ethnic conflicts in Southeast Asia nowadays. The conflict has also been handled by the conflicting parties, i.e., the national government and Pattani Malay insurgents.

Similar to the conflict in Aceh, this conflict has been internationalized to a considerable level, especially since the year of 2004. However, an international solution to the internationalized conflict did not seem to come. To note, Malaysia, a neighboring country that shares a common ethnic background and has historical links with the Pattani Malays, has tried to work as an honest broker by sponsoring and facilitating a series of peace talks between the Thai national government and the militants. The Organization of Islamic Cooperation (OIC) and international non-governmental organizations (NGOs) have also aimed to help reducing ethnic violence in the South by proposing initiatives and urging Bangkok to improve the human rights situation in the region.

Chapter 5 (IDeveloping a Way to Influence the Conduct of the Government in Intrastate Conflict: The Case of Myanmarz) explores the settlement of Myanmar's long-standing political conflict between the Myanmar military and the pro-democracy movement. This chapter also identifies to what extent the role of ASEAN in the reconciliation process. The solution was marked by the gradual accommodation of the military towards the pro-de-

mocracy opposition.

Unlike other experiences in conflict managements, ASEAN was seen successfully exerted influence on the Myanmar government in the process the Myanmar's road to national reconciliation. Although ASEAN's contribution to the settlement of the political conflict in Myanmar was limited as ASEAN was not able to develop such a mechanism, the accomplishment to creating the so-called mediatory structure as a mediation regime came to ASEAN. ASEAN's endeavors in a low profile manner deserved credit as ASEAN has managed the interplay between international community pressure undertaken by the UN in concert with other actors such as the United States and China and the Myanmar. In the context of AWCM, ASEAN was appreciated as among the key player exerted influence on the Myanmar government in the reconciliation process particularly to the former's domestic behavior and firmly entrenched non-interference principle in Myanmar.

Chapter 6 (The Thailand–Cambodia Preah Vihear Temple Dispute: Its Past, Present, and Future) examines a Thai–Cambodian territorial dispute over the Preah Vihear temple that has been a bone of contention between Cambodia and Thailand ever since the former gained independence from France in 1953. The peaceful process of dispute resolution was disrupted when the 2008 joint communiqué was signed. Mass protests in Thailand marked the beginning of the three-year crisis. After a series of bilateral negotiations, the dispute was brought to the arbitration of the International Court of Justice (ICJ). Although the conflict still continues to date, the findings of this chapter point out the possibility of its final settlement through mobilizing international expertise and supports, which have been made possible through the course of the dispute.

The association's long-held position that bilateral interstate conflict be managed bilaterally through self-restraint turned out to be unworkable and irrelevant once the disputing countries threw away the self-restraint. ASEAN's conflict management mechanism did not work adequately in the three-year crisis. There was also an avoidance of the involvement of ASEAN from disputants which mostly rely on the problem of trust the ASEAN's capability as a mediator and the impartiality Secretary-General

Surin Pitsuwan, who was a Thai national. The latest situation suggests that ASEAN faces the challenge of finding the ways to ensure or even enforce self-restraint in this type of conflict.

In the context of AWCM, these developments undermined the conventional ASEAN approach to managing internal conflict. Bilateral talks to handle the dispute, mediation and peacekeeping efforts failed. Existing instruments of crisis management such as bilateral talks, the United Nations Security Council (UNSC) process, and ASEAN mediation did not function well to contain the crisis. Hence, ASEAN may invite the legitimate role of external third parties, such as UNSC and ICJ in managing interstate conflict in its domain.

Chapter 7 (Circumventing Conflict: The Indonesia–Malaysia Ambalat Block Dispute) explores the Ambalat block dispute between Indonesia and Malaysia. This issue is the overlapping claims to sovereign rights in the oil-rich Ambalat region between Indonesia and Malaysia, and it has been the most controversial issue between the two countries since *Konfrontasi* (Confrontation) came to an end in 1966.

The Ambalat conflict has not resolved yet. However, various measures and approaches were used to manage the dispute peacefully. The two countries seem unlikely to lead their policy to any military escalation of the Ambalat conflict. Jakarta and Kuala Lumpur recently agreed to resolve maritime disputes peacefully, and both countries have appointed special envoys to hold exploratory negotiations over remaining territorial disputes. Although it is a slow process, it should be seen as progressive. More important, given the increasing economic interdependence between Malaysia and Indonesia, the possibility of joint exploration of Ambalat is not unlikely.

It is interesting to see Indonesia and Malaysia as the two primary countries and among the backbone of ASEAN in regards to AWCM. Those two nations have always been the pioneer in promoting the work of the AWCM. In fact, Indonesia and Malaysia do not show a clear intention to employ conflict resolution mechanisms through ASEAN. The same thing also happened in settlement of disputes over Sipadan and Ligitan, in which both sides asked to help the ICJ as a third party. In Ambalat con-

flict, Indonesia and Malaysia still seem to pay attention to the arrangement of a bilateral basis rather than using AWCM mechanism they campaigned and supported so far.

Chapter 8 (The South China Sea Dispute: Formation of a Mediation Regime and Challenges for Management) explains how the employing the concept of mediation regime paves the way to the efforts to manage the South China Sea (SCS) dispute. This effort includes all the management process of the short-term crisis, middle-term relationship, and long-term incompatibility.

This chapter, in particular, aims to get insight from an emerging shape of an ASEAN Way of conflict management and understand how the disputants and other relevant actors have developed to manage the SCS dispute.

In the context of SCS dispute, the chapter explores some aspect such as the contention among the disputants, the diplomatic space within ASEAN and the incorporation of regional norms and values for the regulation of the behavior of disputing parties. It also identifies the trend of economic integration between China and ASEAN and the creation of mutually beneficial identities for the disputing parties. These developments and efforts reflected the functions of a so-called mediation regime. Although mediation regime appears to have managed the dispute, recent developments can be understood as the road of the alliance approach to the management of the SCS dispute. This approach promoted by the U.S., not the ASEAN, departed from the ideas of the balance of power and deterrence in which could undermine the integrative power of the SCS regime. The wider bilateral relations between Beijing and Washington affected much to the result.

Chapter 9 (Conclusion: Is a New ASEAN Way of Conflict Management Emerging?) recapitulates the findings of the seven case studies in those book chapters and provides the comparative account on the conflict management in Southeast Asia. The chapter underscores some classification regarding conflict as follows: internationalization of conflict, failure of conflict avoidance, incompatibility management, and mediation re-

gime.z This chapter identifies the emerging new patterns of managing conflict in the ASEAN countries. Regarding the emerging model, the book demonstrates that approach in the intrastate conflict, which is easily internationalized, an international solution is the most natural and effective.z

Regarding ASEAN Way Conflict Management, the book throws a light that ASEAN's needs to enhance capacity to influence the domestic behavior of the government of its member states so that ASEAN can be a useful instrument of conflict management.z(p.181). On the other hand, the model for conflict mechanism in interstate conflict is to maintain or to restore self-restraint in conflicting parties. This book also underscores that in the certain middle-term relationship, management to be applied to conflicting parties plays a significant role in short-term crisis management and long-term incompatibility management or settlementz. (p. 181). In short, this book has also successfully demonstrated how the ASEAN Way is available in the certain conflict and to what extent has the ASEAN Way been applicable in other case studies.

However, ASEAN's mechanism of dispute settlement was not trustworthy, since ASEAN members preferred using third parties such as the International Court of Justice (ICJ), UNSC, external states actors and international NGOs to solve their problems instead of using ASEAN norms and mechanisms as instruments of problem-solving amongst members. The cases mentioned above were good examples of the limitation, not to say the failure, to utilize ASEAN's norms and mechanisms in handling disputes among ASEAN states. Further, other ASEAN institution: the ASEAN Court of Justice to be responsible for Dispute Settlement Mechanisms (DSM) still not reliable.

More important, the expanding issues from traditional security issues to transnational ones, from state actors to both states and non-states actors, and expanding institutionalization of new areas, makes non-intervention and sovereignty, the building blocks of ASEAN Way, face a serious challenge. In this stage, it needs more frank discussion to seek ASEAN members' problems solving of the current issues. It seems that ASEAN might come to the new agreement of reinterpretation of their fundamental prin-

principles. The new interpretation of the IASEAN Wayz and the ASEAN Way conflict mechanism seems likely to be a historical necessity.