

*Is ASEAN People-Oriented or
People-Centered?:
The Evolution of Regionalism between
Governments and Civil Society, and
the Effect of Differing Concepts on
the Drafting of the ASEAN Charter*

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This chapter explores the changing nature of institutional mechanisms and discourses in the Association of Southeast Asian Nations (ASEAN) between governments and civil society by focusing on the democratization of regionalism. The adoption of the ASEAN Charter in 2007 and the subsequent events suggest a transformation of ASEAN's institutional mechanisms into more democratic and people-oriented processes. A "people-oriented ASEAN" has been the buzzword among the ASEAN officials since the Charter was adopted, while civil society has stressed a "people-centered ASEAN." The former indicates the policies for the people and the latter signifies the policies and principles determined by the people. This chapter examines three major changes: how the ASEAN Charter transformed institutional mechanisms in terms of democracy and human rights, how civil society and civic regionalism have responded to this transformation, and how the tensions

and gaps between the ASEAN and civil society have developed and modified in the ways that define both regionalism and institutional mechanisms.

After the end of the Cold War, universal waves of democratization swept across the world and Asia was no exception to its affects. Democratization, with the development of civil society, has altered the political landscape of East Asia that was previously dominated by authoritarian or semi-democratic regimes. The influences of democratization have not been limited to domestic politics. Indeed, it infects foreign policy and inter-state relations, including regionalism. Although regionalism in Southeast Asia or the Association of Southeast Asian Nations (ASEAN) has been initiated by state elites in Southeast Asia, civil society also plays an essential role in the building of a regional community and its solidarity. Since the ASEAN is the key player in the ASEAN+3 and East Asia Summit, the changing nature of the ASEAN regionalism may impinge on East Asian regionalism as a whole. This is why a number of scholars of East Asian regionalism have focused on the development and evolution of the ASEAN regionalism.

While it is a part of the broader research field investigating the correlation between regionalism and civil society in East Asia, this chapter explores the process of democratization and the development of civil society at the regional level. In particular, it looks at the manner in which regionalism has been democratized and the role played by civil society in the ASEAN. Consequently, this chapter focuses on the shifting nature of the institutional mechanisms, and discourses on regionalism in ASEAN by analyzing the relationship between the government and civil society. Further, the examination uncovers the roles of and relationships between governments and civil

society in the process of drafting the ASEAN Charter. The ASEAN Charter, adopted in 2007, includes numerous liberal notions, such as democratization, human rights and the empowerment of civil society. While Track I (official government relations) and Track II (unofficial government and civil society relations), including government elites and think-tank experts, played a key role in the drafting of the Charter, Track III (civil society relations, including non-governmental organizations, NGOs, and civil society organizations, CSOs) was also involved. Indeed, Tracks I, II and III participated in the drafting processes, and possess different ideas about regionalism. For the purpose of exploration, the chapter adopts a three-track approach — Track I, Track II, and Track III. However the examination of Track III will be more detailed than the other two since the emergence of civil society occurred quite recently and suggested a number of changes in the traditional frameworks of regionalism. Through these examinations, the chapter uncovers the manner in which the different tracks define and conceptualize what regionalism is. It focuses on the transformation of regionalism between governments and civil society. Almost all aspects of the ASEAN have been argued to be elitist since its principles and policies have been determined by member state officials. However, the reality has drastically changed. In the last ten years, civil society has been increasing its active involvement in the ASEAN's institutional mechanisms and discourses on regionalism. Nevertheless, the adoption of the ASEAN Charter in 2007 and the subsequent civil society movements and campaigns suggest the transformation of ASEAN's institutional mechanisms into a more democratic and people-oriented process.

There is still significant tension between ASEAN officials and civil society with regard to discourses on regionalism (such as tension between Track I and especially Track III). A "people-oriented

ASEAN” has been the buzzword among ASEAN officials ever since the Charter was adopted, while a “people-centered ASEAN” is what civil society stresses. The former indicates that the policies are *for* the people, while the latter implies that the policies and principles are determined *by* the people. These gaps represent the different concepts of regionalism that exist between ASEAN officials and civil society. Broadly speaking, most proposals for civic regionalism purport to reform two big issues: democratization and human rights. The ASEAN Charter, therefore, should respond to these two issues. The Charter, on the one hand, repeatedly refers to the concept of “people-oriented,” which would reform the ASEAN’s institutional mechanisms more democratically. On the other hand, the Charter includes human rights mechanisms, though they are far from ideal. This chapter explores the way in which the ASEAN’s institutional mechanisms and discourses were transformed after the Charter was adopted in 2007, particularly the tension between “people-oriented” and “people-centered” policies. It then examines the three tracks and how each of them defines the concept of regionalism.

Democratization of Regionalism: The Emergence of Civic Regionalism

As this chapter explores the tension between the ASEAN and civil society in the process of drafting the ASEAN Charter, it is necessary to understand the role of civil society and its recent development in the study of Asian regionalism.¹ There was traditionally little place for civil society in Asian politics generally, and in Asian regionalism as well as ASEAN politics particularly. Therefore, it is necessary to explore how the civil society has emerged and de-

veloped to understand the evolution, change and development of Asian regionalism.

The concept of civil society in Asia has been a puzzling issue. It is not easy to define and conceptualize the so-called Asian civil society. Although civil society might exist in Asia, it is different from the Western counterparts. Moreover, civil society in Asia has been primarily mobilized at the national and local community levels rather than at regional levels. Not surprisingly, the term “civil society” sometimes sounds mysterious in Asia. Politically speaking, there is no equivalent to the Western terms “citizen” or “citizenship” in Asia. If Asian people speak about their citizens, it simply implies a reference to the people living in the area. However, it does not necessarily infer civic culture and civic duties. Thus, “Asian civil society,” in a sense, would be self-contradictory since it has been argued that there is no civil society in Asia. Undoubtedly, civil society in Asia or “Asian civil society” is a challenging notion. Since the mobilization of civil society has been relatively weak and underdeveloped in Asia (at least in the Western sense of civil society), it has been argued that there is no likelihood that civil society will develop in Asia. This cliché is hard to refute. For a number of decades, “civil society” has remained an abstract concept, existing on paper but not possessing any substantial realities. It is a logical consequence that in the 1990s studies on East Asian regionalism, including ASEAN studies, were merely state-centered. Consequently for students of Asian regionalism, Asian civil society has been a difficult subject to study. Most studies have been dominated by state/government relations, namely in Track I, and neither Track II nor Track III has been properly focused on.

The situation has changed drastically within the last five years. Region-based NGOs and CSOs have been substantively developed and mobilized. They have initiated region-wide solidarity move-

ments (known as regional solidarity movements), and civil society-led regionalism can be seen as a participatory form of regionalism. "Participatory regionalism" was conceptualized by Amitav Acharya (2004), and there are two definitions of participatory regionalism. On the one hand, "participatory regionalism" is defined by the participation of non-state actors (such as NGOs and CSOs) in the decision-making procedure of regionalism. On the other hand, by doing so the dialogues and cooperation between government and nongovernmental actors (NGOs, CSOs and citizens) deepens.

Acharya also pointed out the "democratization of regionalism" (Acharya 2004). Beginning in the late 1990s, a wave of democratization swept across East Asia. Those ASEAN member countries that underwent democratization have implemented liberal reforms, such as the protection of human rights and the empowerment of civil society. The demands and influences on democratization movements in the region, especially those in Southeast Asia, provide a background to the arguments. The 1980s and 1990s saw an increasing number of democratization movements, including those in the Philippines, Thailand, Cambodia, and Indonesia. These movements often mobilized the newly constructed civil society from an elite-led regionalism to a "really opened" "open regionalism" (Acharya 2004: 128). In other words, democratization movements, especially those in Southeast Asia, can be seen as a departure from the traditional ASEAN context. Deepening and expanding democratization alters and improves elite-led domestic situations and urges the reform of an ASEAN-type institutional culture. Principles of non-interference in domestic affairs and the decision-making procedure, which is based on consultation and consensus, are generally termed the "ASEAN way." The arguments stress the varying nature of discourses on regionalism that have been articulated in intergovernmental cooperation (including

"open regionalism" and the ASEAN way) and have gone a step further to be shared in civil society. In other words, Acharya seems to regard regionalism not as institutional discourses in mere government-level cooperation. Rather, he views the dynamics of regionalism as concepts focusing on the broad field of civil and regional societies as a whole. However, Acharya's "participatory regionalism" is not free from criticism and there are limits to his analysis. Why does the concept of "participatory regionalism" articulate a civil society based on "regionalism"? Further, what are the differences between global civil society and Asian civil society?

Acharya's analysis might undermine the "regionness" in the development of democracy and civil society movements. Understanding the ASEAN's liberal reforms is necessary, but the "democratization of regionalism" may fail to capture the civic nature of regionalism, which I refer to as "civic regionalism." This failure occurs not only because regionalism is democratized, but because the development of democratization and civil society has also painted a different picture of regionalism as the basis of "civic regionalism." In other words, the perspective this chapter suggests is that democratization is the only the necessary condition of the civic regionalism, but they are not one in the same. From among the variety of civic regionalisms, "alternative regionalism" and the "regional solidarity movement" have been the basis for an alternative civic view of regionalism. Since regionalism is described as an "alternative," it can easily implement reforms and other changes toward existing institutions and norms within regionalism. Elenita Daño indicates that alternative regionalism has focused on sharing identity and grown out of market-based regional integration (Daño 2008). In other words, the alternative regionalism redefines regionalism from the perspective of social justice. The significance of civic regionalism is clear in that while regionalism is originally and

normally a term used by the state-centric ASEAN elite, civil society also proposes their vision of regionalism. Thus, the discourses on “regionalism” have been neither dominated nor monopolized by the states’ elite. The epoch-makings of civic regionalism have been to re-conceptualize regionalism from the development of civil society and democratization while conventional understandings of regionalism were dominated by the states’ elite perspectives.

This chapter takes the standpoint that it is necessary to distinguish “Asian civil society” from the mere “civil society” in Asia. Although civil society in Asia might denote national and/or local levels of NGOs, civil society organizations (CSOs), business communities and so on, Asian civil society stresses regional frameworks, particularly “networks.” These networks consist of region-wide movements, and links to national and local levels of civil society activities. Furthermore, regional-level NGOs, such as Forum Asia, Global South and the Third World Network as well as their campaign activities, make full use of a broad range of networks that tend to urgently claim the improvement of institutional accountability and quality of democratization, within the ASEAN. These NGOs gradually and consistently tend to be regional NGOs, making claims and resisting changes on the basis of “East Asia” rather than on particular communities and interest groups (Thomas 2004: 201). The following sections will examine Tracks I, II and III and explore how civil society has democratized regionalism in the process of the drafting of the ASEAN Charter by uncovering the tension between the “people-oriented” and the “people-centered” views on regionalism.

Track I: Regionalism in ASEAN Official Discourses

Although there was no room for civil society within the ASEAN’s official discourses during the Cold War, beginning in the late 1990s, the ASEAN’s attitude toward civil society gradually altered. The official documents often included keywords, such as “caring community” and repeatedly portrayed the organization as a “people-oriented” ASEAN. To begin with, the “ASEAN Vision 2020” adopted in 1997 emphasized respect for “justice and the rule of law” (ASEAN Secretariat [1997] 2006: 92) in the region and moreover, it stressed “[a] community of caring society” (Ibid.: 96. Emphasis mine). According to the Vision, the ASEAN community is constructed on a common ground of history and culture — it notes “an ASEAN community conscious of its ties of history, aware of its cultural heritage and bound by a common regional identity” (Loc. cit.).

The Bali Concord II of 2003 appraises the fundamental significance of the Treaty of Amity and Cooperation (TAC) in Southeast Asia as being reconfirmed and adhering to “the principle of non-interference and consensus in ASEAN cooperation” (ASEAN Secretariat [2003] 2006: 140). It also stresses that TAC “foster[s] a community of caring societies and promote[s] a common regional identity” (Ibid.: 143).

In the following year, the ASEAN Socio-Cultural Community Plan of Action referred to ASEAN citizens’ interactions and emphasized that civil society should be “engaged in providing inputs for policy choices” (ASEAN Secretariat [2004] 2006: 182). This Plan of Action also defines the “caring society” as including policy areas relating to poverty, equality and a human development arena. It stresses “[b]uilding a community of caring societies to

address issues of poverty, equity and human development" (Ibid.: 183). Furthermore, the ASEAN and the United States arrived at an agreement for the Plan of Action and implemented the ASEAN-US Enhanced Partnership in 2006. This partnership also aimed to "support efforts to engage civil society in developing a people-centered ASEAN Community" (ASEAN Secretariat [2006] 2007: 148). In 2007, the Chairman's statement at the ASEAN Summit argued that "the ASEAN community [that] we are building shall be a community of peoples caring for and sharing their human, natural and cultural resources and strengths for their common good and mutual benefit" (ASEAN Secretariat [2007] 2007: 1). Similar statements were repeated in the Cebu Declaration (ASEAN Secretariat 2007a).

The most dynamic change was the drafting of the ASEAN Charter in 2007. The ASEAN Charter was ratified among the ASEAN member countries in Singapore on November 20, 2007 and the Charter was published at the start of the following year (ASEAN Secretariat 2007b). The fundamental aim of the Charter is to enhance regional cooperation with an emphasis on the construction of a regional identity. The Charter repeatedly stresses "[o]ne vision, one identity and one caring and sharing community" (Ibid.: 2, 29) — a phrase that would go on to become the ASEAN motto, mentioned in Article 36. Whereas, Article 35 of the Charter shows the significance of a common ASEAN identity. According to the Charter, the ASEAN identity promotes "a sense of belonging among its peoples in order to achieve its shared destiny, goals and values" (Ibid.: 29).

Although the Charter maintains the traditional emphasis on principles of sovereignty, territorial integrity and non-interference, it also adheres to democratic principles and the rule of law and good governance, including the protection of human rights and

fundamental freedoms (Ibid.: 2). More specifically, Article 1 of the Charter contends that it aims "[to] strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms" (Ibid.: 4). At the same time, the Charter proposes "to promote a *people-oriented* ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building" (Ibid.: 5. my emphasis). With regard to this point, the Charter has still maintained the traditional decision-making procedure, namely, "consultation and consensus" (Ibid.: 22. See also Article 20).

Despite its significant departure from pursuing the values of democracy, human rights, the rule of law and the concept of a "people-oriented ASEAN," the Charter still possesses a state-centric tenor and maintains a non-interference principle. In this sense, the Charter seems to be similar to old wine in a new bottle. The next section will examine how Track II has responded to Track I's conceptualization of renewing regionalism, notably, the ASEAN Charter.

Track II: ASEAN-ISIS and APA

In the process of drafting the ASEAN Charter, Track II actors have also played a noteworthy role. The think-tank networks of Southeast Asia (known as the ASEAN-Institutes of Strategic and International Studies, the ASEAN-ISIS) have made an indispensable contribution. According to Lay Hwee Yeo, one of the key organizers of the ASEAN-ISIS, it is to elevate community awareness and construct an "epistemic community of sense of regionalism."² ASEAN-ISIS has officially provided policy recommendations to

the ASEAN secretariats, and individual member countries' think tanks have made similar recommendations to their respective national governments.

ASEAN-ISIS organized the ASEAN People's Assembly (APA) in 2001 and sponsored the APA in 2007 (the APA will be discussed later). In collaboration with nongovernmental organizations (NGOs), ASEAN-ISIS proposed policy recommendations for an Asian civil society. While think tanks and NGOs possess different perceptions and approaches, they share the goal of regional solidarity. ASEAN-ISIS and APA arrived at an agreement for the need to reexamine the concept of sovereignty, which is represented by principles of non-interference in domestic affairs (Ibid.).

In April 2006, ASEAN-ISIS prepared a memorandum on policy recommendations concerning the ASEAN Charter. According to the memorandum, the ASEAN Charter should not be merely a codification of existing documents, a justification for making the existing norms, values, principles and objectives unalterable and inflexible or state-centric. Instead, the Charter should be open to new ideas and amenable to adjustments as the situation dictates based on the formation of an ASEAN Community that already provides a roadmap for the ASEAN and people-oriented (ASEAN-ISIS 2006: 4).

The concept of "people-oriented" relates to the enhancement of human security and the eradication of poverty, hunger, disease and illiteracy. Moreover, it identifies and defends market-driven integration and "open regionalism" as key factors in regionalism. It also develops democracy and the rule of law, respect for human rights and fundamental freedoms, and a community comprising of a caring society, which also encourages a common ASEAN identity (Ibid.: 5). In this way, the ASEAN should not be "an elitist club or a club limited to government officials" (Ibid.: 10).

While the ASEAN and its member countries protect "the sovereignty and independence of all States" (Ibid.: 5–6), decision-making procedures should be based on consensus with the exception of the following crucial matters: (1) when a government comes to power through unconstitutional means, such as a military coup; (2) when a democratically elected party (parties) is (are) unlawfully prevented from constituting a government; (3) when a government is engaged in a gross and sustained violation of human rights; (4) when member states fail to make financial contributions and pay their dues to the ASEAN and (5) any other matter deemed a consistent and deliberate instance of noncompliance with the ASEAN's principles (Ibid.: 11). The sanctions include exclusion from participation in ministerial-level meetings, suspension from participation in all ASEAN meetings, limitation of government-to-government contact and other similar measures agreed upon by the ASEAN Summit (Loc. cit).

The APA was formed in 2000 by the ASEAN-ISIS and the first meeting was held in Batam, Indonesia. Its objective was to foster a civil society dialogue between government officials, think tanks and NGOs. The chief objectives were to bridge the gap between the ASEAN secretariat and civil society and promote the construction of an ASEAN community "from below." While the ASEAN-ISIS has also supported the notion of a "people-oriented ASEAN," it is rather critical of the objectives of the ASEAN Charter. ASEAN-ISIS prefers to adopt a more flexible notion of non-interference principles and resist the elitist nature of ASEAN institutions. The more radical approaches have arisen from civil society sectors in Track III.

Track III: SEACA, SAPA and AIPMC

Like the ideas and activities of Tracks I and II with regard to the ASEAN Charter, Track III has its own notions and activities regarding the Charter in that the construction of civil society networks and the democratization of regionalism in Southeast Asia. In recent years, the mobilization of civil society in the ASEAN has been observed in the democratization and human rights movements initiated by regional NGOs, such as the Southeast Asian Committee for Advocacy (SEACA), Solidarity for Asian People's Advocacy (SAPA) and ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC).

SEACA

In September 1999, a number of NGOs in Indonesia, Malaysia, the Philippines, Thailand, Vietnam, Myanmar, Cambodia and East Timor gathered in Manila and organized SEACA with the aim of building a cooperative relationship between civil societies in Southeast Asia. The members of SEACA include NGOs in individual countries and its regional networks that have engaged in policy advocacy. In 2002, the SEACA organized the South East Asian Peoples' Festival and adopted the Mekong Declaration. Its subtitle is "bringing the power back to the people," and the declaration stressed the empowerment of people and civil society (SEACA 2003). With a strong motivation to reconstruct regionalism from the people's perspective, the declaration proposed three rights, including economic rights, social and cultural rights, and civil and political rights. The arguments on economic rights criticized the harmful effects of free trade and globalization that have been unable to be controlled democratically and alternatively emphasized economic security for people, including equal access to jobs and re-

sources, especially for the poor. Likewise, social and cultural rights urged policies for the people and equal rights regardless of race, gender, age, religion, ethnicity and nationality. Finally, civil and political rights maintained a prohibition of detention without trial and arbitrary arrests, stressed free speech, and proposed "people-centered development." While the declaration has special stress on the concept of "people-centered," it also provides some valuable implications for the following concepts of regionalism.

In October 2005, SEACA held a regional meeting titled "Regional Conference on Civil Society Engagement in the ASEAN," associated with other network NGOs, namely the Asian Partnership for the Development of Human Resources in Rural Asia (Asi-aDHRRA), FORUM-ASIA, and Sustainability Watch-Asia (Sus-Watch). According to a concept paper for the meeting (SEACA 2005a), there were five key themes: the ASEAN as a platform for pro-poor advocacy in Southeast Asia; the current and strategic role of the ASEAN in Southeast Asia development; political and economic dynamics of the ASEAN; how the ASEAN has positioned itself on key advocacy issues of civil society in the region and how Southeast Asian civil society can use mechanisms for participation in policy-making at the ASEAN for pro-poor policy advocacy (Ibid.).

The statement of the regional meeting promotes the engagement of civil society, including promoting democratic and sustainable development in the region, to enhance the worthiness of regional integration. It also regards the ASEAN as "a community of people," criticized elitism in the ASEAN and suggests institutionalizing the mechanism of civil society engagement and ensuring transparency and accountability (SEACA 2005b). The Singapore declaration was adopted at the Third ASEAN Civil Society Conference (ACSC-III). Accordingly, it argues that "universally recog-

nized values, principles and normative standards" should be fully institutionalized and enshrined within the ASEAN, such as human rights, social and economic justice, participatory democracy and rule of law, right to development, ecologically sustainable development, cultural diversity, gender equality, peace and people's security and peaceful transformation of conflicts (ACSC 2007: 2(a)). At the same time, "people-centered regional cooperation and solidarity" is emphasized (Ibid.: 2(b)).

In 2009, the Fourth ASEAN Civil Society Conference (ACSC-IV) was held and a declaration titled "Advancing a People's ASEAN" was adopted (ACSC 2009). The declaration focused on three clusters of regional community, namely, political-security, socio-cultural and economic clusters. For the political-security cluster, the importance of human rights and human security is proposed. As for the socio-cultural cluster, it stresses related policies, including education, health, heritage, culture and disaster management. The economic cluster involved the significance of poverty eradication and development. Similarly to the Singapore declaration, it emphasizes "people-centered" and defines it as the notion that "all policies are decided by the people," and by so doing, "an ASEAN community based on human rights, human dignity, participation and social dialogue, social and economic justice, cultural and ecological diversity, environmentally sustainable development, and gender equality can be established" (Ibid.).

In relation to the ASEAN Charter, SEACA planned for the ASEAN People's Charter as a countermeasure to the ASEAN Charter as its drafting process was pretermitted. On the official schedule, the ASEAN People's Charter was planned to be proposed, at the latest, by the ACSC-III of 2007 and finalized at the end of 2008 (SEACA 2008). An interview with Alexander Chandra, then one of the chief members in drafting the People's Charter,

indicates a similar plan, although mentions of the schedule were a bit different.³ According to Chandra, the People's Charter is not an alternative to the ASEAN Charter, but was planned to reflect an idea of civil society (Chandra and Djamin 2007).

SAPA

The ASEAN Civil Society Conference (ACSC) was organized by 120 participating regional NGOs. Since then the NGO networks of Southeast Asia have rapidly mobilized. The ACSC plays a role in bridging the gap between the ASEAN and civil society and provides an opportunity for dialogue between representatives of civil society organizations and the ASEAN leaders (Daño 2008: 26). In February 2006, SAPA was formed with a network of NGOs in Bangkok based on a consensus among SEACA, the Asian Partnership for the Development of Human Resources in Rural Asia (AsiaDHRRA), the Asian Forum for Human Rights and Development (Forum Asia) and Focus on the Global South (Ramirez 2008: 6). At the first convention, over 30 NGOs participated and the number of participants has since increased to over 100 organizations. SAPA has been the organizing body of the ACSC and played a central role in regional solidarity movements.

In 2006, SAPA submitted three policy proposals to the Eminent Persons Group on the ASEAN Charter: Bali, Singapore and Quezon.⁴ Each proposal targets the ASEAN Charter and the ASEAN security community (Bali), the economic pillar (Singapore), and the socio-cultural pillar and institutional mechanisms (Quezon). First, the Bali proposal of April 2006 defines regionalism as a view of people-centered perspectives. Accordingly, the proposal regards regionalism as "*... a step towards the advancement of ASEAN people's interest, by stressing mutual benefits and cooperation among states and people,*" which means that regionalism is not

simply attributed to integration or solidarity but attempts to be people-centered and people-empowered (SAPA 2006b: 6, original emphasis). In the same way as SEACA, SAPA has strongly advocated compatibility between regionalism and civil society.

The Singapore proposal of June suggests that regionalism is "*founded on citizen's rights and the cultivation of democratic processes*" and that economic regionalism has been a tool for economic justice, such as sustainable development, equality, inclusion and empowerment, and by so doing, regionalism can promote regional solidarity (SAPA 2006c: 3, original emphasis). Accordingly, regionalism is defined with respect to socio-economic aspects, such as sustainable development. By inducing political norms that include equality and empowerment, it aims to harmonize the civil society of economic and political aspects in the context of regionalism.

The Quezon proposals of November, reconfirming the ideals of regionalism as suggested by the previous two proposals, focuses on the significance of a socio-cultural community and thus redefines regionalism as follows:

Regionalism is founded on recognition, promotion and protection of human and community rights. The founders of our envisioned regionalism is the increasing realization of human rights in ways that acknowledge human beings as members of socio-cultural communities in which all work together toward achieving common ethical norms and set of obligations for ensuring human dignity. (SAPA 2006d: 3, original emphasis)

In accordance with the proposal, the socio-cultural communities should promote tolerance and diversity as well as regional integration founded on common prosperity. Likewise, a caring and sharing community is directed to be people-centered and people-empowered (Loc. cit.). The proposal suggests a "responsive region-

alism" because the ASEAN should positively address numerous policy areas, including human rights, democracy, peace, human development, economic justice, tolerance, cooperation and solidarity, its decision-making has to be open to civil society and value accountability (Ibid.: 7-8). The regionalism might be unique in that it understands human rights based on the needs of the community rather than on a legal framework. The proposals regard human rights and democracy based on socio-cultural factors, and by emphasizing their significance, they suggest that the people's regionalism is different from inter-governmental regionalism.⁵

The examinations indicate that the ASEAN, the EPG, the ASEAN-ISIS and NGOs in general have agreed to an expansion of the idea of regionalism while engaging with civil society as a whole. However, there has been an unbridgeable gap about the extent to which the ASEAN or regional community has engaged civil society. For the purpose of understanding it, it is necessary to focus on the differences between two discourses: people-oriented and people-centered.

Although the two discourses have appeared in various fields and it is not possible to simplify them, it might be stated that "people-oriented" has appeared on the government side and the ASEAN while "people-centered" has been uttered on the NGOs and civil society side.⁶ According to the excellent analysis of Alexander Chandra, "people-oriented" signifies a consideration of peoples' interest in processes of policy-making, while "people-centered" implies a process in which civil society positively engages and participates in the decision-making process of the ASEAN (Chandra 2009: 200).

Though the two notions are not quite clear and it is difficult to capture the differences between them, the details of their differences are understandable if they are regarded as concepts of politi-

cal order. That is to say for the people-oriented discourses, “the final decision making still lies amongst the region’s political elites” (Loc. cit). In other words, the discourses of the “people-oriented” contend that the legitimacy of decision-making is justified by the ASEAN. Whereas it is merely a political expression of paternalism that reminds the decision-makers to consider the interests of the people. In contrast, the people-centered discourses call for the legitimacy of decision-making by the people and advocate the engagement of civil society in the process of policy formation (needless to say, it appears to be a typical problem of the “representation of civil society”). The differences indicate that, while the two notions agree on the inclusion and engagement of civil society, the greatest gap is in the understanding of the political legitimacy of the regional community with respect to whether political legitimacy is attributed to the ASEAN or the people.

Likewise, “people-oriented” has also been uttered in describing the sphere of social problems, including development, poverty, famine and epidemic. “People-oriented” does not necessarily connote any political expressions, such as an engagement of democratic citizens. It is possible for particular ASEAN member countries — not least the countries that have transitioned to democracy, including Cambodia, Laos, Myanmar and Vietnam — to accept people-oriented discourses. It might potentially break up the centripetal community of the ASEAN if it is too hurried in adopting “people-centered” as the central norm of integration (Ibid.: 197). It is understandable to advocate for “people-centered” as the ideal objective and cooperation through people-oriented discourses. While the notion of human rights is understood as the needs of the community, it regards regional solidarity as the highest priority of the community and from the concept of regional solidarity, harmonizes the people-oriented and the people-centered that seem to

contradict at first sight.

AIPMC

In 2004, the AIPMC was created and was primarily made up of members of parliament of ASEAN member countries. The AIPMC developed a wide range of transnational activities for the democratization of Myanmar. It has branches in Indonesia, Malaysia, Singapore, Thailand, the Philippines and Cambodia and has significantly mobilized their activities since 2006.

The AIPMC has strongly criticized the ASEAN’s inclusion of Myanmar, which, according to the AIPMC, was mistaken with regard to democratic promotion in Myanmar. The organization emphasizes that the military regime in Myanmar has been the greatest threat to regional solidarity (AIPMC 2007a; 2007c). From a regional solidarity perspective, the AIPMC claims that the ASEAN should carry out a “constructive dialogue” with Myanmar to stabilize the region (AIPMC 2007b). In June 2006, the AIPMC submitted a note of protest to the Secretary General of the United Nations, decrying the release of political prisoners in Myanmar, including Aung San Suu Kyi (AIPMC 2006). The organization raised concerns that the exodus of refugees and economic instability in Myanmar threatened regional security. The AIPMC has traditionally been critical of the humanitarian violations and nondemocratic reforms in Myanmar (AIPMC 2005). They are extremely critical of the ASEAN’s non-interference policy that resulted in the political, humanitarian and economic crises in the country (Thai Parliamentary Caucus on Democracy in Myanmar 2005).

Regional Solidarity Movements

The aforementioned regional solidarity movements that were initiated by NGOs have not necessarily been critical of the ASEAN. From the perspective of regional solidarity movements, regionalism should and could be an alternative to globalization. That is, on one level regionalism can protect people from the negative effects of globalization. On the other level, regional solidarity movements resist authoritarian regimes or the development of dictatorships.

While not being a mere anti-globalization movement, the regional solidarity movement has been critical of globalization. There have been differences in the approach to the anti-globalization and regional solidarity movements. The regional solidarity movement has not been extended to anti-globalization or global civil-society mobilization. Rather, it expands beyond anti-globalization and suggests that the regional solidarity movement has also been developed on the basis of local communities, where the scope of the activities is at a regional level rather than a global level. As for the non-interference policy, the regional solidarity movement could also be harmonized through the idea of "flexible engagement". First proposed by the Thai government in the late 1990s, this idea allows intervention in domestic affairs if it is in the interest of the people (as in the case of Myanmar).

There have been several key features of the regional solidarity movements. First, regional solidarity movements and region-wide democratization movements strengthen the legitimacy of regionalism and the inclusion of civil society. This has been demonstrated by the government-centered regionalism ("regionalism from above") and people-centered regionalism ("regionalism from below"). As a logical connotation, the movements claim that the non-interference principle should be reconsidered. It is too early to

assess how the form of "open regionalism" (coupled with the non-interference principle) has been challenged by the "participatory regionalism" of civil society movements. However, regional solidarity movements propose, to a certain extent, to change the official and elitist tenor of Asian regionalism. The participatory regionalism of the solidarity movements might transform the traditional nature of Asian regionalism, but it is still in progress and has not shown clear outcomes.

A second important feature is that the regional solidarity movements still belong to "regionalism." The border and sphere of regionalism (where "region" is defined as Asia) have been harmoniously agreed upon by the ASEAN and the regional solidarity movements. On the basis that the membership comprises only ASEAN member countries, participating actors in regionalism have been transformed from "government-centered" to "people-centered." While Asian regionalism has long been driven by an intergovernmental suite of elitist coalitions, civil society movements have also possessed a regionalist form. Asian civil society or regional solidarity movements, in this sense, do not join with or extend to a global civil society since Asian civil society is based on the logic of regional solidarity rather than notions like global ethics and global justice. It does not overcome, but extends the border of regionalism.

"People-oriented" refers to the discourses of governments and high-level ASEAN officials, while "people-centered" refers to those made by NGOs and civil society. Alexander Chandra aptly makes this distinction by stating that "people-oriented" signifies a policymaking process followed by the ASEAN political elite that has been oriented toward the "concerns and interests of the people," while "people-centered" keeps people at the heart of the policymaking process (Chandra 2009: 200).

The “People-Oriented” vs. “People-Centered” ASEAN

This chapter provided an overview of the three different developments of regionalism according to Tracks I, II and III. Previous sections uncovered the tension between Tracks I and Track III. Notably, the “people-oriented” ASEAN, which is followed by the former, and the “people-centered” ASEAN, which is followed by the latter. Although they have different orientations, a concept based on the people has been the focal issue in which different notions of regionalism among the different tracks are competing against one another. According to Chandra’s apt distinction (Chandra 2009: 200), a “people-oriented” ASEAN implies that policy is adopted to promote the interests of people, while a “people-centered” ASEAN signifies the people’s participation in the policy-making process.

A “people-oriented” ASEAN is insufficient for the promotion of democracy, protection of human rights and empowerment of civil society because a more active participation of the people is necessary. The ASEAN member countries are not necessarily as democratic according to Western standards. Some member countries are worried about the rapid inclusion of civil society in the decision-making procedure since democratic governance and civil society movements might challenge their non- or semi-democratic legitimacy.

The most significant contention proposed in this chapter is that while there is tension between Tracks I, II and III, such as a people-oriented and people-centered ASEAN, not only does the state but also civil society provide prospects and their own notion of regionalism. Regionalism has not been dominated by the state, and civil society has also proposed a people-centered civic region-

alism. In this sense, regionalism implies not only competition, but also coordination and cooperation among the different tracks.

Conclusion

This chapter reviewed and compared the three different developments in the concepts of regionalism according to Tracks I, II and III. First, ASEAN’s official concept of regionalism in the Track I process has drastically changed since it adopted an ASEAN that was “people-oriented.” Despite dramatic changes in the ASEAN’s official discourses, it has still been state-centered and elitist in nature. Huge criticisms from Tracks II and III have been confronted. Second, the Track II process, especially the ASEAN-ISIS, followed and respected the ASEAN Charter and its notion of a “people-oriented ASEAN.” However, it is rather critical of the institutional mechanisms in the ASEAN. ASEAN-ISIS suggests a more flexible notion of non-interference principles and resists the elitist nature of ASEAN institutions. Finally, the Track III process of civil society has been more critical toward the ASEAN Charter. They propose a “people-centered” rather than a “people-oriented” ASEAN, which connotes a reformation of the decision-making procedure by member states and civil society and promotes the participation of people’s organizations in the process. They believe that the inclusion of civil society in the ASEAN’s policymaking processes might ensure the legitimacy of regionalism. This is what this chapter called “civic regionalism,” denoting democratization and civil society movements do not destroy regionalism itself, but reform regionalism with a civic tenor.

These civil society movements construct an Asian civil society rather than unify it into a global civil society. Regional soli-

darity movements have accelerated a regionalist tenor. A future research agenda about regional solidarity movements might be to examine how Asian civil society movements differ from global civil society movements, and why and how they maintain the regionalist terrain as Asian.

Note

1. While not necessarily focused on Asian regionalism, those studies are helpful in reviewing the relationship between regionalism and civil society in general: Fawcett and Serrano (2005), Hettne, Inotai and Sunkel (1999) and Hettne and Söderbaum (2000).

2. Lay Hwee Yeo, Senior Research Fellow, Singapore Institute of International Affairs, interviewed by author, 6 May 2008 in Singapore.

3. Alexander Chandra, then Research Associate at Institute of Global Justice and member of SEACA interviewed by author on 3 March 2008 in Jakarta. According to him, the ASEAN People's Charter began to be prepared in 2006, might be realized in April 2008 and finally might be proposed to the ASEAN secretariat at the end of 2008.

4. It is worth noting that although it is valuable and meaningful that the EPG consulted with civil society in the process of drafting the ASEAN Charter, only four organizations, including the SAPA, were permitted to join the consultation (the EPG-CSOs Consultation), and only the SAPA is permitted to submit policy proposals. See SAPA (2006a).

5. For instance, Chavez (2007) provided one of the best examples of people's regionalism.

6. Some ASEAN officials understood that "people-centered" is no more than a political expression, and there have been numerous limitations in the ASEAN's engagement with civil society. Thongphane Savanphet, Head, ASEAN+3 Unit, Bureau for External Relations and Coordination, interviewed by author on 29 February 2008 in Jakarta.

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Chapter 7 |

The Impact of Globalization on Higher Education in China

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The impact of globalization on Higher education in China comes from two aspects: economic and social-cultural. Chinese higher education has met many challenges from globalization, including the invasion of Western core values to China, the diminishment of local cultural identity, the adaptation of new educational modes, and the outflow of talents. This chapter attempts to address the tension between economic globalization and higher education in China through "thinking and acting both globally and locally."

The process of globalization can be seen as blurring national boundaries, shifting solidarities within and between nation-states, and deeply affecting the constitution of national and interest group identities (Torres and Schugurensky 2002). The convergence of higher educational reforms can be explained by the international economic imperative to gain competitive position in the global market. In the economic context, globalization can undermine the traditional purpose for which universities are created: creation of new knowledge and preparing knowledge workers for the work force. Nowadays, education is being liberalized and transformed into a multi-billion dollar industry, powered by market-liberal-