

The Role of National and Regional Identities on Association of Southeast Asian Nations (ASEAN)'s Position towards the South China Sea Issue under the Chairmanships of Myanmar, Malaysia and Lao PDR (2014-2016)

MA Thesis

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December 2017**

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Abstract

Association of Southeast Asian Nations (ASEAN) has been deemed as the most successful regional grouping in the history of Southeast Asia, most notorious for its achievement in creating and maintaining peace and stability in the region comprising 10 countries with vastly diverse political, economic and socio-cultural background. The territorial claims concerning South China Sea by four ASEAN countries (Brunei Darussalam, Malaysia, Philippines and Viet Nam) against China remains the most pressing challenge for the region up to the present day. While ASEAN has taken up the issue under its multilateral framework in which ASEAN and China have been working towards a code of conduct in South China Sea, it is found that ASEAN itself is inconsistent in its position when it comes to South China Sea as evident in its political stance through its annual statement and communique. Such inconsistency is in line with various critics on ASEAN's informal and weak institutionalisation due to its lack of sense of regional belonging. As ASEAN itself has repeatedly emphasises the need of ASEAN centrality in regional and international set up, the foresaid issue is inarguably a testament to ASEAN centrality. Taking into account that the conduct of ASEAN depends very much on its annually rotated chairmanship, in which the chair has the responsibility to ensure ASEAN centrality, this thesis aims to investigate how a country's national identity affect its regional identity under ASEAN's regionalism with regard to the South China Sea issue through ASEAN chairmanship. To this end, this thesis investigates how Myanmar, Malaysia and Lao People's Democratic Republic (PDR), as ASEAN chairs in 2014, 2015 and 2016, respectively, led ASEAN in achieving a common position on South China Sea and how prominent are their national identities in their undertakings.

Keywords: ASEAN, centrality, chairmanship, Lao PDR, Malaysia, Myanmar, South China Sea

CHAPTER I

INTRODUCTION, BACKGROUND, RESEARCH QUESTION AND ANALYTICAL FRAMEWORK

I.1 Introduction

The territorial claims in the South China Sea involving four ASEAN countries namely Brunei Darussalam, Malaysia, Viet Nam and the Philippines against China has been claimed as threatening to the security and stability in Southeast Asia, which is a much needed condition for ASEAN Community building and consolidation given the main role of the organisation to preserve stability and prosperity in the region. ASEAN as the main regional framework in the region has taken up the issue under its multilateral framework with a view to achieving a code of conduct (COC) in South China Sea. Repeatedly, ASEAN has claimed not taking sides in the territorial claims in the South China Sea but supports the peaceful resolution of disputes among claimants in accordance with universally-recognised principles of international law, including 1982 United Nations Convention on the Law of the Sea (UNCLOS), without resorting to threat or force. It also consistently promotes the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC), as an instrument agreed by both ASEAN and China established since 2002.

However, inconsistency particularly during 2014-2016 in ASEAN's position could be identified from its annual statement and communique. The said political documents reflected the changing position of ASEAN through recognition of ongoing developments on the ground, omission of certain language and expression towards particular expectation. It is important to note that its annual chairman's statement is under the prerogative of ASEAN chair and its joint communique is a negotiated document. To this end, ASEAN's chairmanship highlights the paradox between national interest and regional position, which resonates with major critic addressed to ASEAN on lacking regional sense of belonging.

This thesis investigates how the three chairmanships approached and formulated ASEAN's position on South China Sea based on their respective national identities juxtaposed with regional identity and regionalism, in order to answer whether national identities affect ASEAN's common position on South China sea. National identity is defined through a country's political conduct, culture and international position while regional identity attributes to ASEAN's norms and principle. Regionalism is seen as an outcome or result of the interaction process between national and regional identity. This thesis concludes that the way a country chairs the organisation, through its policy and conduct, is affected by the country's national identity, which lays the basis of how a

country perceives itself inwardly and positions itself outwardly. Their respective national identities also affect the way they see, interpret and use their relations within and with ASEAN.

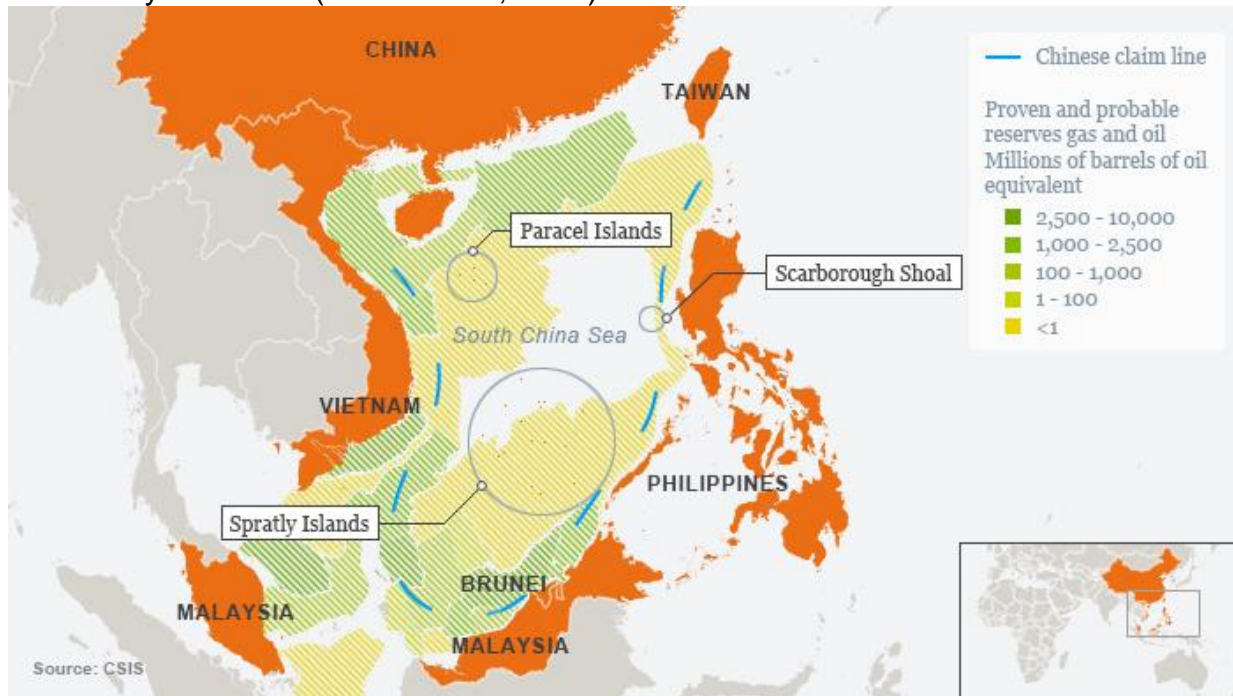
I.2 Institutional Background

The confirmation of Southeast Asia region as a political entity through ASEAN is often looked with disdain by scholars and academics, as they mostly are of the view that ASEAN remains a rhetoric phenomenon filled with political statements and zero implementation. Despite the critics that ASEAN is imperfect, ineffective and mostly unwieldy given its present-day overlapping agendas and mechanisms, it remains one of the most recognisable and durable regional intergovernmental organisations in the world encompassing three key dimensions: regional peace and security, economic integration and institution building with the goal of advancing the prosperity and well-being of the peoples (ASEAN Secretariat, 2017).

ASEAN has impressively grown in scope, practice and expectation as it went through many hardships; originally established in 1967 by only five members, it is no longer a group of post-colonial countries that strive to get acknowledgement of their sovereignties; rather, it is a group of 10 that is at the pinnacle of regionalism in its 50 years of establishment. The 1967 Bangkok Declaration with which the five countries were proclaimed as an official regional grouping underlined the basic objectives of living under a peaceful, stable region through the use of peaceful dispute mechanism rather than use of force and further, work together for common interests and purposes (Severino, 2008). ASEAN's core modalities are crystallised in its 1976 Treaty of Amity and Cooperation (TAC) which emphasised the principles of non-intervention, non-interference, sovereignty and peaceful settlements of disputes. Thus, the most important success of ASEAN has been the maintenance of peace and stability in Southeast Asia by promoting peaceful relations among its Member States.

For ASEAN, the South China Sea remained a major concern and a litmus test for the supposedly regional rules-based order. Four ASEAN claimant countries namely Brunei Darussalam, Malaysia, Philippines and Viet Nam have wrangled with China over the resource-rich South China Sea in a territorial spat that has been disrupting the so-called peaceful Southeast Asia for decades. There are inherent disputes over claims to land features and maritime territories in the South China Sea, viz. (1) between China and Vietnam over the Paracels archipelago; (2) among China, Viet Nam and, partially, the Philippines and Malaysia, over the Spratlys Islands; and (3) Philippines' claim over the Reed Bank and Scarborough Shoal (Severino, 2016) (Emmers, 2010). Brunei Darussalam, on the other hand, does not ascertain to any land features in the South China Sea but to some sea lines where its Exclusive Economic Zone (EEZ) spans, which covers significant shore and fisheries zone (Severino, 2016). On China's part, its historical

claim of nine-dash Line encompassing practically all South China Sea¹ has made the conflicts even more complicated and highly debatable. Other than the strategic position of the Sea that is highly desirable, the resources at stakes for the claimant states include their EEZ, fisheries scope and other potential resources, other than the obvious like oil, such as hydrocarbon (Weatherbee, 2012).



South China Sea territorial claims, CSIS (DW, 2017)

Southeast Asia claimants have insisted that this is a regional issue as it threatens not only peace and stability of the region, but also ASEAN's unity. However, ASEAN chose to deal with the issue through dialogue and consultation process with China given the nature of the organisation that prioritises pacific settlement of dispute hence it does not, and will not, form a military alliance (Dupont, 2014), which many see discouraging as the decades-long negotiation has yet to yield any significant result with the 2002 DOC signed by all ASEAN Member States and China, as the only notable outcome. The DOC, constituting a significant instrument in promoting trust, confidence building and cooperation in the South China Sea for both ASEAN and China serves as a foundation for the conclusion of a code of conduct. The DOC also includes adherence to the international law including the 1982 UNCLOS in which all claimants of the South China Sea disputed features and waters are parties to the said convention.

¹ The line which is based on a historical claim provides a justification for territories that China thinks belong to its sovereignties generated by the lines, including any corresponding maritime zones (e.g., territorial sea and EEZ or continental shelf) (Tsirbas, 2016)

Nevertheless, ASEAN's and China's efforts to implement the DOC and adopt a COC have produced few substantive results. The conclusion of the COC has already taken more than 15 years of negotiation. Particularly over the recent years, the adoption of more aggressive tactics for exercising rights by all claimants especially China is alarming which is opposed to what has been agreed under the DOC. China itself is often quoted to prefer bilateral track rather than deal with ASEAN as a group. This accentuates the gap between the ongoing discussion under diplomatic track and reality at sea, putting the status quo between ASEAN and China at risk. As a result, the tensions and developments in the South China Sea have damaged the confidence-building between and among ASEAN members and China (Graham, 2014). Although ASEAN has acted as a regional multilateral mechanism for dispute management, the failure of responding towards aggressive moves at sea by claimants created an impression that ASEAN is incapable and ineffective in keeping the tension at ease, let alone reaching a formal consensus between the parties all due to its rather informal institutionalism (International Crisis Group, 2012); (Ba, 2014). ASEAN is known to always take a neutral position on this issue and while there has been no noticeable change in this stated position, there has been many inconsistencies (Nguyen, 2015); (Parameswaran, 2016); (Jenner & Thuy, 2016) over many of its official statements, for instance on the mentioning of the 2016 Permanent Court of Arbitration ruling in either Chairman's Statements or Joint Communiques. Further, there existed different opinions within ASEAN itself in agreeing to a common proposal as part of concluding a COC, e.g. finding a unified position on the application of certain mechanisms, or even the inherent claims disputed among the countries (Amer, 2014). As a result, ASEAN does not project itself as a one regional body with a common position on critical issues, hence putting Southeast Asia's regional peace and stability at risk.

The intra-ASEAN struggle demonstrates that in order to formulate an ASEAN common position towards the South China Sea, it is not only the views and interests of ASEAN claimant states that need to be settled, but also the 10 countries as a group or, using ASEAN's language, the need for ASEAN centrality. As stipulated in the ASEAN Charter, a legally binding agreement which provides ASEAN's legal status and institutional framework as well as codifies ASEAN norms, rules and values, it is incumbent upon the chair of ASEAN to, among others, ensure ASEAN centrality which translated to the ability of ASEAN to be able to settle and reflect on a common position on critical issues that affects its safety and security as a whole (Ganguly, Scobell, & Liow, 2017). The chairmanship of ASEAN rotates annually based on alphabetical order in which member state assuming the chairmanship shall bear the responsibilities to chair and manage

ASEAN's operation and decision-making bodies.² ASEAN's chairmanship, then, highlights the paradox of national versus regional interests; the chair has to fulfil its responsibility to realise regional interest while not undermine its own national interest and during the process, it has often diluted the organisation's common stance (Son & Jenner, 2016). Vested national interests often causes the chair to not fully discharge its responsibilities properly – for example the failure to produce Foreign Ministers' Joint Communique under Cambodia's chairmanship in July 2012 with regard to the South China Sea, allegedly serving Cambodia's national interests by giving a lower profile to the issue in order to keep the said country's stable relations with China. South China Sea aside, ASEAN countries also possess varying degree of prominence in their relations with China (Ba, 2014) which affect the kind of regional responses prioritised, factoring as another dimension of the intra-ASEAN process that affects how ASEAN Member States individually perceive China along with its policies and actions towards them.

To this end, this thesis will investigate the coherence of ASEAN's approach on this issue under three chairmanships that attributed to significant differences: Myanmar's military rule chairing ASEAN for the first time (2014); Malaysia as one of ASEAN's founding fathers as well as a claimant state (2015); and Lao People's Democratic Republic (PDR) as a socialist republic (2016). In doing so, this thesis will see the interplay between national identities of the three countries and ASEAN regional identity during their capacities in discharging responsibilities of ASEAN chair with the understanding that national and regional interests would only derive on how a country perceive its national and regional identities under the auspices of ASEAN regionalism.

I.3 Methodology

I.3.1 Analytical framework

To answer the question whether *national identities of Myanmar, Malaysia and Lao PDR, as the chairs of ASEAN in 2014, 2015 and 2016, respectively, affect ASEAN's common position on the issue of South China Sea*, this thesis will utilise the concept of **national identity** to scrutinize the elements beyond state-to-state relations and hence, understand a country's worldview and put them together with **regional identity**. The interplay between national identity and regional identity is further analysed through **regionalism** concept, which provides the framework mechanism of regional governance that serves as both means and ends in producing collective output. This thesis will also

² Among others, the ASEAN Summit and related summits, the ASEAN Coordinating Council, the three ASEAN Community Councils, relevant ASEAN Sectoral Ministerial Bodies and senior officials, and the Committee of Permanent Representatives.

analyse the process and elements involved under the undertaking of an organisation's chairmanship.

I.3.2 Concepts

a. National Identity

Identity, in principle, is defined as the underlying basis for a collective action, either under a social standing or political realms that marks how a group identifies common signifier among its members that in the end produce a sense of "we-ness" or a particular discourse about the group (Lebow, 2008). National identity, in this regard, could be understood as an individual understanding towards a person's sense of belonging to a state or nation under a cohesive unit of a nationhood that is represented by particular traditions, culture, language or even political conduct (Smith, 1991). Under political realm, national identity then entails a sense of responsibilities to its member through rights and obligations under a definite formal territory; this is what defined a nation as a community of people complying to the same laws and institutions within a bounded territory (Smith, 1991).

However, once one moves from political understanding, national identity becomes an abstract, fluid conception and multidimensional construct; its meaning is dependent upon the way it is used in a particular context and by specific actor that in the end, provides various meanings. In this regard, the concept of national identity in this thesis is being simplified into a felicitous combination of the following elements as prerequisites: (1) political system, as an embodiment of common understanding towards certain rights and/or duties of the members; (2) national culture, as a measure of common roots based on a set of crystallised aspirations, sentiments and ideas (Smith, 1991); and (3) international status, which defines a nation's role in the world, its worldview in order to harness its relations with other countries based on its national interest and also facilitates its way in negotiating differences with others that are opposed to its interest (Dittmer, 2010) which inarguably concerns the pursuit of security and economic interest at a larger scope.

In order to understand national identity in a more rigid way, the concept of foreign policy helps to provide a concrete embodiment of national identity. The notion of national identity as a source of foreign policy could be tracked to the idea coined by Charles De Gaulle³; foreign policy is very much influenced by how national identity is perceived, that a country's characters determine what it seeks to protect and pursue (Jones S. , 2003). National identity provides legitimation for the government to exercise its foreign policy under the justification that it represents the 'national community' in dealing with

³ de Gaulle's definition of foreign policy: 'a certain idea of France ... and that France could not be herself without greatness.

external parties (Walace, 1991). Both concepts are interrelated in a way that national identity serves as backgrounder for foreign policy and foreign policy plays the roles as a tool for nation-building – in earlier era, while now its usage is more flexible and broader in scope (Bloom, 1990). Hence, foreign policy directly or indirectly reflects a country's national identity, as ideological elements in foreign policy such as democracy and human rights values, become more prominent since they are employed to determine what kind of foreign policy produced by a state. In short, foreign policy serves a country's national interest in which national identity is prominent.

b. Regional Identity

How a region is pictured or explained should never be taken for granted as region, in nature, is a social and political construction in which a region's identity is then created. As Acharya, a prominent regionalist academic noted, regions are just like nation-states; they are *imagined* in a sense that they are socially constructed rather than just based on geographical lines. The success or failure in developing a region's identity then, indicates how the countries' involved therein cooperate or in conflict with each other (Acharya & Layug, 2012).

Similar but slightly more complex than national identity, the conceptualisation of regional identity could be understood through the distinction between the identity of a specific territory or region, and the collective identity of the inhabitants (regional consciousness) (Paasi, 2011). The former, or region's identity, points to narratives, symbols and practices that are associated with a specific territory such as its geographical landscape or demographics (Paasi, 2011), for example how certain narrative of a region is disseminated through school curricula. It is then created in a manner that serves an ideal image of a community. The latter, or social consciousness, refers to a more factual signifier that may manifest themselves in the form of social values to create an 'ideal' identity through discourses like social class, gender, ethnic or religion (Paasi, 2011).

c. Regionalism

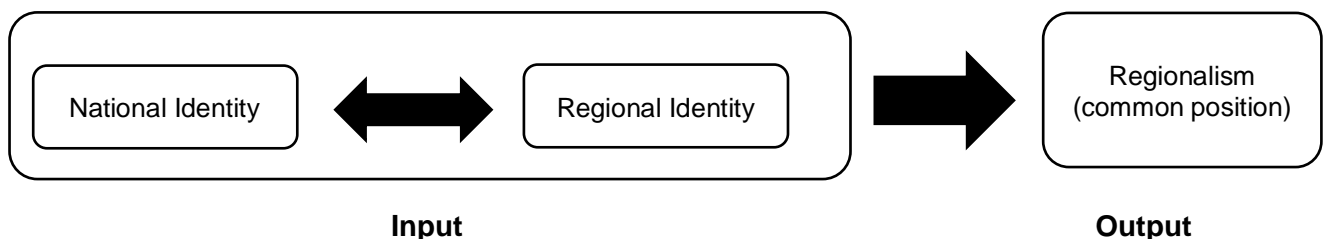
This thesis sees that the realisation, or institutionalisation of regional identity, is better understood under the concept of regionalism. Based on the understanding that sees regionalism as a response to globalisation that presents opportunities for advancing countries' development notwithstanding the possibility to solicit both positive and negative outcomes (Farrell, Hettre, & Van Langenhove, 2005), regionalism is a strategy utilised by states to preserve its interest in responding to external pressures or agendas through gaining social standing in a rather leaner scope. It should not be neglected that economic and political agendas are often prioritised by actors in advancing regionalism, however identity and self-perception also plays a crucial role in forming regionalism (Farrell, Hettre, & Van Langenhove, 2005).

For individual state, regionalism provides an opportunity particularly for smaller states in getting a privilege to channel their interests in regional table; it gives them seat and voice during negotiation and as a result, the regional mechanism produced influences developments and creation of norms among the members as they become more advance over time (Katzenstein, 2005). In this regard, regionalism is seen as an outcome or result of the interaction process between national and regional identities; regionalism provides the basis for a region to produce a common view or position towards certain matter concerning the interest of the region, and regionalism is also *the result* of such interaction. In this research, the analysis of regionalism is expected to highlight the opposition or alignment between national and regional identities operating under certain norms and rules based on the sense of regional entitlement.

d. National identity vis-à-vis regional identity and regionalism

Upon establishing the concepts of national identity, regional identity and regionalism, the next step is to understand how national identity could affect regional identity and subsequently, regionalism. To understand this, it is important to not disregard the very basic premises of how a region is constructed and operationalised: region is not an independent actor on its own and it is dependent on the interaction among the actors and stakeholders involved. As Acharya noted: "...Just as the nation-state cannot be viable without a sense of nationalism, region too cannot be region without a sense of regionalism" (Acharya & Layug, 2012). The interactions between countries inside the scope of a region should be looked not only at what is common between and among them, but also how the members, especially the elites, project or imagine themselves as part of a region (Acharya & Layug, 2012) (Paasi, 2011). To this end, regional identity should be seen as an evolving phenomenon and on-going process as well as a desirable outcome. These internal consolidation efforts towards identity are the key in shaping how a region is formed; how actors, mostly elites, and other prominent stakeholders develop a sense of regional consciousness in shaping the discourse of the region.

The operationalisation of the three abovementioned concepts could be simplified into the following:



Thus, regionalism represents a collective form the members' interests, capacities and identities as they are realised within regional context and expressed through interaction with other actors (Acharya & Layug, 2012) that derives from members'

interaction and interpretation towards what the region is. There would be no regional identity of a region without any projection by its members on what constitute a region is, and this projection is very much depends on how the members look at (1) their own identities; (2) similarities, differences or other identifying factors between them.; and (3) what constitute as the “others”. What a region is and how it operates very much depend on and links to the self-identification of those who possess the authority to create and extend their interpretation to societies at large.

e. Chairmanship conduct/modalities

Given the above explanation, we now take all concepts to see how national identity, illustrated through a chairmanship, being operated in a regional context. The modalities of a running organisation, most of the time, depend on the command of the chairmanship, in which a chair performs its function under what is stipulates under the formal agreement by an organisation. Nevertheless, it is fair to understand that a chair, as a country, may have its own preference in conducting its capacity as chair in which as a result it often invests its national interest through prioritising certain agenda and specific goal with a view to achieving a ‘return of investment’.

In this regard, there are three institutional dimensions of the chairmanship that could be seen as safeguarding principles in organisational attributes. According to a study based on the case taken from the operationalisation of the UN chairmanship, the following three aspects would help to maintain the neutrality and professionalism that should be undertaken by the chair (Blauvokous & Bourantonis, 2011):

1. Mandates: serves as the basic foundation for the chair in determining its capacity over the negotiation process which will lead to a certain outcome. This includes the power and control entails in the position of a chair over a negotiation process including as drafting of meeting’s agenda, issuing official public statements on behalf of the members and concluding final rapporteur task;
2. Legitimacy/resources: the chair will utilise information, access and political capital with a view to capitalising its performance, which is supported not only by chair’s authority but also political support extended by the members. Hence, legitimacy refers to the approval and support by parties involved in the negotiation based on the chair’s political influence over groups that are inside and outside a particular negotiation; and
3. Formal/informal constraints: organisational setup and the nature of the organisation that limits/restrains the chair’s capacity and control, e.g. decision-making procedure, norms and principle adopted by the organisation.

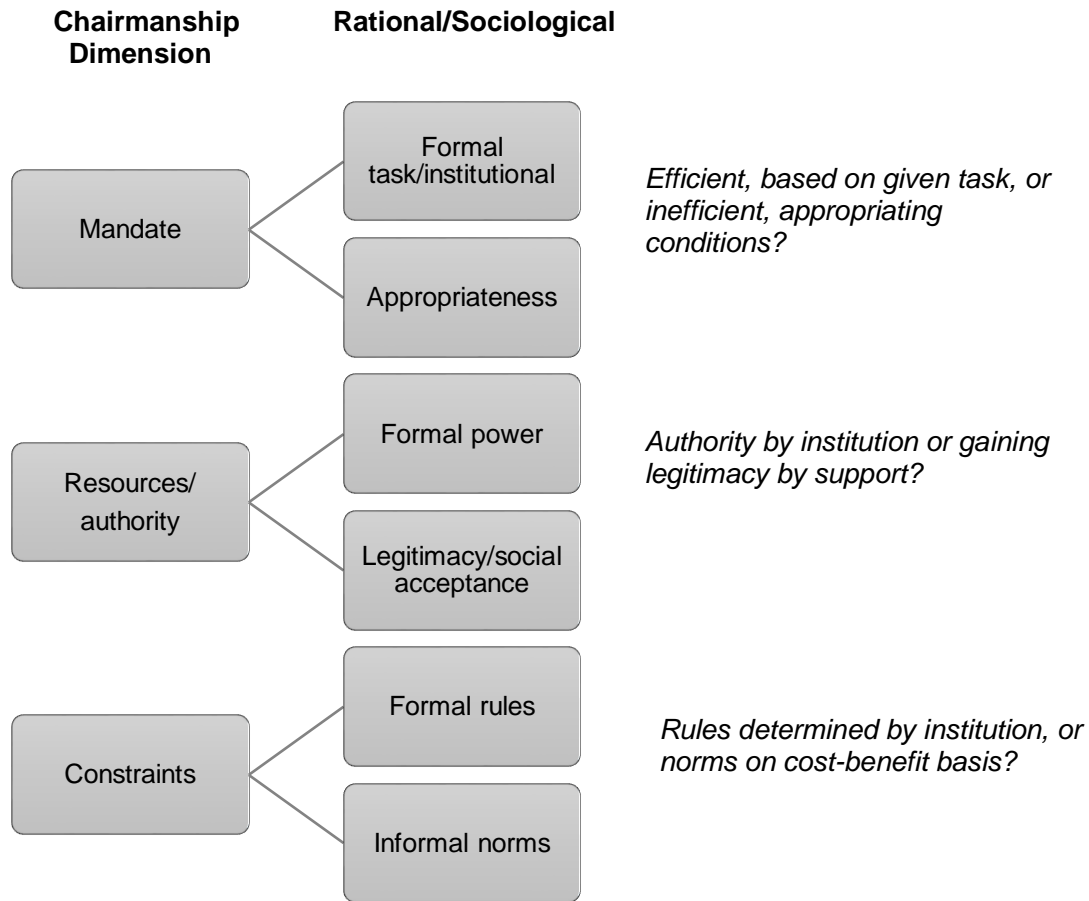
Empirical case is taken from the British presidency of the United Nations Security Council (UNSC) 1992 in which the British had to deal with the issue of the role of the UNSC in post-cold war era, formally, while informally the forum sought to discuss the status of Russia in the UNSC (Blauvokous & Bourantonis, 2011). There are three

highlighted important achievements throughout this presidency: (1) convening a summit level which displayed an institutional novelty by conducting the highest-level meeting; (2) shaping the UN substantive political agenda on SC reform, and (3) acted in agreement with the other permanent UNSC members to oppress any opposition. As a result, the combined political power and influence of the British's political capital ensured that reactions remained under control and goes under the desired direction (Blauvokous & Bourantonis, 2011). The following table depicts how the British operated the institutional dimensions of its UNSC presidency:

Institutional dimension	Chair's action
Mandate: tasks and intervention	Narrow and concrete: issuance of formal statement and innovation in procedure through calling for extraordinary meeting
Resource: information, political capital creating legitimacy	Private consultation with other permanent UNSC members, shaping meeting's agenda
Constraint: decision-making, other mechanisms	Consensus, veto power, no chair re-appointment due to rotational format

This case provides an illustration that even though the functional mechanism for agenda management, backstage diplomacy and representation are rigid in nature, it could shift contextually, based on the powers and responsibilities delegated to and exercised by to formal leadership of the chair. These processes led to members' support to the chair and the outcome produced by the negotiation.

To this end, this thesis holds the view that the conduct of chairmanship rests on both **rational choice** and **sociological dimensions**. In principle, the underlying three factors affecting the conduct of chairmanship operate under the logics of the said two complementary approaches: first, the politics in leadership are fluid and very much affected by appropriation in a sense that actors are driven by the wish to do the right thing in a certain institutional context that are formal, shaped by identities, expectations, norms and roles as they define what constitutes appropriate behaviour (Tallberg, 2006), however leadership and authority also rest on trust, legitimacy and social acceptance. This brings to the second point, that is a chair could exercise its influence not only when they have legitimacy, but also when they receive resources in terms of informational and procedural that could help to persuade parties involved to a certain objective or outcome. The third one is the constraints that derive on both formal rules of the institution and informal norms of appropriate behaviour.



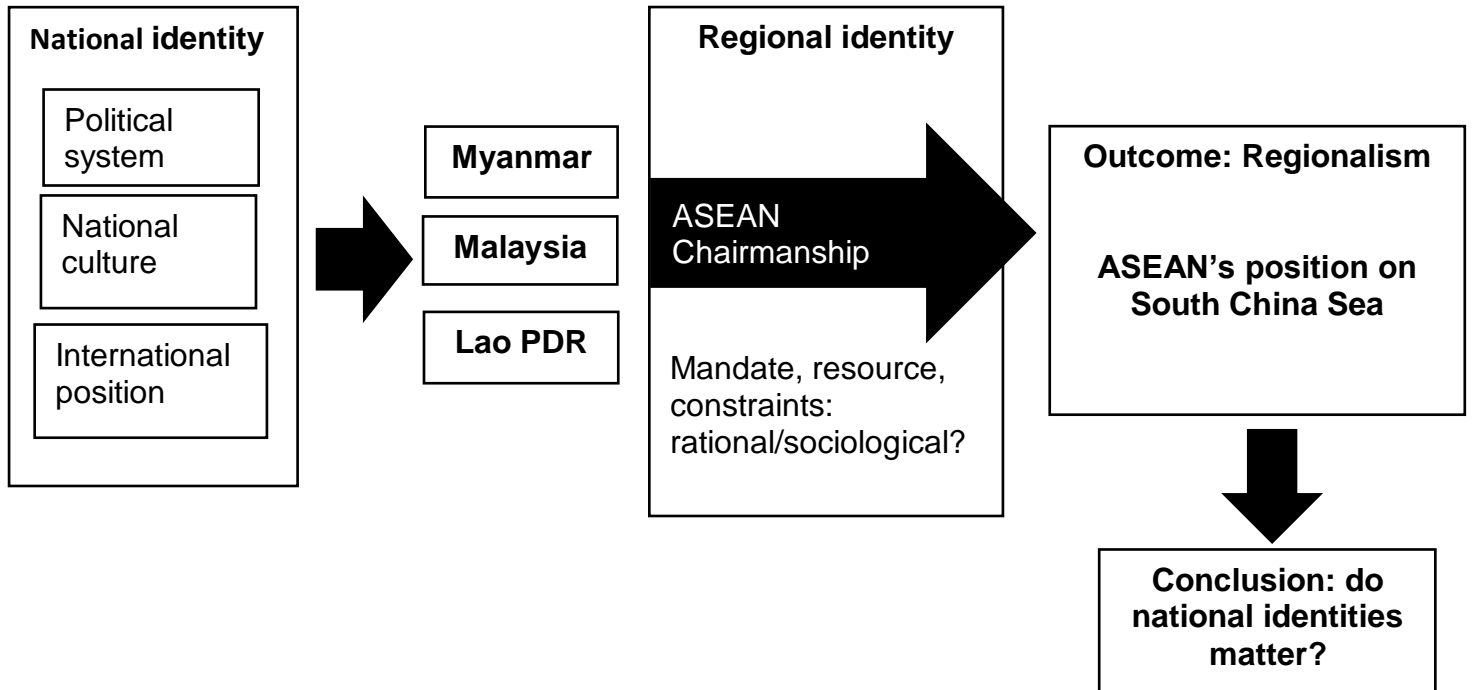
Later on, the thesis will prove that the operationalisation of chairmanship is a form of regional identity making. Given that a region is a social construct, in this context chairmanship is an attempt to construct and realise a regional identity through the development of long-term habit of consultations, as noted by Acharya with reference to Asia-Pacific multilateralism (Acharya, 1997) as particularly for Asia, producing and maintaining process and interactions of members in the region is deemed as more essential than the realisation of the end objective itself (Acharya, 1997).

I.3.3 Conceptual operationalisation

To sum up, this thesis will analyse and operationalise:

1. How Myanmar, Malaysia and Lao PDR project their national identities under the auspices of ASEAN regional identity;
2. The ways and means the three countries undertake their policies during respective chairmanships, which affected the outcome of negotiations;
3. How the outcomes of negotiations reflect the interests contained therein: individual countries' or ASEAN's; and

4. Conclude the underlying pattern throughout 2014 to 2016 to see how national identities of Myanmar, Malaysia and Lao PDR affect ASEAN's common position on the issue of South China Sea.



CHAPTER II

EMPIRICAL FINDINGS AND ANALYSIS

II. 1 ASEAN and Southeast Asia's regional identity

II.1.1 National identities of Myanmar, Malaysia and Lao PDR

In order to understand what constitutes national identities of Myanmar, Malaysia and Lao PDR, this thesis employs three features viz. political system, national culture (including official languages, religions, ethnic groups, historical experiences) and international status/view (including foreign policy). While this is arguably a simplification of what national identity is, the three indicators help providing general understanding of the complex and contextual nature of national identities for the three countries. Further, they also summarised features affecting the course of a country's security and economic trajectory.

A detailed matrix of the three countries' national identities appeared in APPENDIX 1 (with reference to China). In summary, provided with the histories they experienced and the practices they exercise presently, the three countries project stark differences in their identities and conduct. Myanmar endured a long history of divided identities that is also embedded in its constitutional structure directed to exclude those categorized as "beyond the pale" (Myanmarisation) (Dittmer, 2010); making Burmese culture, language and Buddhism become hegemonic, thus religion has been commonly used as a common denominator for any political issue in the country. Hence for Myanmar, its perpetual challenge is managing its geographically fractured and ethnically diverse border areas, for example the Rakhine state. For Malaysia, cultural hegemony is a well-fitting 'title' for the country as the country's persistence into a Malay political hegemony (Nelson, Meerman, & Embong, 2008) by claiming indigeneity of the Malays has been a way taken by granted by its society at this point, given that the country is among the most multi-races in Southeast Asia. While cultural leadership and policies remain divided, many hold to the vision of a Malay core identity in their perception about the country. Lao PDR as a nation-state has been alleged to owing more to its powerful colonialist and neighbours (the French Indochina as well as Thailand) rather than its own self-determination (Fox, 1982). However, the mix of traditional politics, accompanied by entrenched communist-style patron-client relations has produced a distinct, eclectic political culture of Lao PDR.

Given the hefty past of colonialism, the notion of national identity in Southeast Asia is mostly a top-down construction by the government taking into account how prominent it was for nation-building efforts. Thus, governments plays the role in providing 'narratives of justification' (Müller, 2015) over what constitutes states' identities. Important to note is the legacy of colonialism and the nationalism reaction and awakening it has subsequently produced in almost all Southeast Asian countries that in the end, crated the wave of nation-building efforts e.g. how anti-colonial nationalism consequently turned into a nationalism of inter-ethnic disputes and

conflicts as happened in Myanmar’s Rakhine. This, in turn, resulted in a behaviour where most Southeast Asian states particularise their governance through explicit or implicit preferences towards certain ethnic group or discrimination based on categories, race being the most common, in governance and many other public sectors. This thesis subsequently is of the view that this practice is what makes the concept of national identity so prominent in Southeast Asian states. National identity is the basis of a country’s view and stance in international setting. It is a signifier that function to define what makes a country as a different entity from the other.

II.1.2 ASEAN: Southeast Asia’s Regionalism

With the vast diversity of Southeast Asia, ASEAN regionalism then provides a narrative of one Southeast Asia, representing an “imagined community” (Acharya, 2012). From the outset, ASEAN Leaders recognised the importance of regional identity-building during its establishment through 1967 Bangkok Declaration as the grouping assured the need to preserve their national identities should go hand in hand with the development of a regional existence – hence the importance of sovereignty perseverance. Up to 50 years of its establishment, the organisation has developed into a much more institutionalised entity, addressing not merely political-security concerns, but also complex economic and social issues with the goal of improving the lives of its peoples (ASEAN Community⁴). The following matrix provides a summary of ASEAN’s bread-and-butter in its day-to-day operation:

Underlying principles	Structure/governing body
ASEAN Charter: rules-based organisation	ASEAN Summit; annual rotation of chairmanship based on alphabetical order
Non-interference, sovereignty	Three pillars: ASEAN Political-Security Community, ASEAN Economic Community, ASEAN Socio-Cultural Community
Decision making: consultation and consensus	Over 800 Organs convene over 1,200 meetings annually
Settlement of disputes by peaceful means, renunciation of the threat of use of force	Supporting function: ASEAN Secretary-General and Secretariat

⁴ ASEAN Community 2015 laid out the strong political affirmation by ASEAN to be integrated as one community

What constitutes ASEAN's regional identity, then, is its very own principles which provides the modalities on how member states interact with each other. Being in ASEAN means being able to put a country's national identity in a regional framework which operates based on sovereignty protection, non-interference, consultation and consensus; to this end, ASEAN forms its very own contrived regional identity, providing a social standing for its members.

Hence, regional identity building in ASEAN is in line with what Acharya noted as a character of multilateral institution-building in the Asia-Pacific, that multilateralism renders as a process of an identity building with strong emphasis on processes and aspects dwelling on social and intrapersonal values, rather than a legal and formal dimension of the institution (Acharya, 1997). Through its attempt to construct a regional identity cultivated by the development of long-term habit of consultations, the unity of ASEAN is not only projected internally among its members, but also outwardly with the claim of ASEAN centrality in which ASEAN sees itself as the driving force in the regional architecture that includes major powers. As Caballero-Anthony, an erstwhile director at the ASEAN Secretariat handling external relations defines what ASEAN centrality is, the centrality of ASEAN is particularly unique as not only it locates itself in the middle of relevant powers, it creates linkages, connects and bridges them by positioning itself in the driver seat, thus "ASEAN's structural position in the dense web of networks... explain why ASEAN is seen as the driver of and a fulcrum for other regional institutions in Asia" (Caballero-Anthony, 2014). In this regard, ASEAN's regionalism serves as a double-edged sword; it keeps the region together while it provides a space for flexibility. Issues and concerns could be contained and managed in a way that suited status quo interests, geographically and institutionally.

II.1.3 The diverging interpretation of and the use of ASEAN

In a nutshell, it could be assumed that while regionalism is a result of ASEAN's consultation and consensus of what constitutes regional identity, each ASEAN member state then has different perception and meaning of what ASEAN is for them in which national identity being a determinant factor. In this regard, it is important to see what each chair make of ASEAN before analysing the conduct of their respective chairmanships.

a. Myanmar

Myanmar's move in joining ASEAN signalled a foreign policy attributing towards multilateralism trend with a view to providing the country with capability to respond to outside pressures, particularly from its dialogue partners – the US, the EU and the UN, given its complex domestic issues especially on human rights (Dittmer, 2010). The move to join a regional alliance could be translated as means to gain political legitimacy and prestige in international stage given how self-contained the country was particularly. Khin Nyut, Myanmar's then prime minister in 2003, initiated Myanmar's

membership to ASEAN recognising the country was not in the best position on international relations front (Steinberg, 2010). As the military rule tended to limit any moves akin to liberalisation in the country, ASEAN's campaign on neutrality was seen as the best approach for Myanmar as it is presented with the opportunity to contain itself from outside pressure and be provided with room to manage issues bilaterally with particular countries that are opposed to its interests (Dittmer, 2010). ASEAN's non-interference, non-intervention informal style of diplomacy makes it all the more beneficial for Myanmar as it gains unspoken support for its domestic issue remain left "untouched" and to be resolved outside the multilateral fora.

b. Malaysia

Malaysia's foreign policy, in nature, demonstrates "middle power trait" that designs the move engineered to enable the country to maintain beneficial ties with China while at the same time preserve its free and independent foreign policy, which heightens its positionality within ASEAN, that sometimes be regarded as a leadership position towards developing countries (Gilley & O'Neil, 2014). The middle power trait or statecraft/middlepowermanship is a trait concerning forms, strategies and actions of countries that are medium in political-economic power and utilise their foreign policy moves as a bridge between major powers (Saravanamuttu, 2010). ASEAN, since the beginning, has been an important instrument for and the cornerstone of Malaysian foreign policy even though at that time, the notion of "ASEAN centrality in regional and global architecture" was not very well-known and strongly promoted yet. The establishment of an ASEAN Community was wholeheartedly pushed by Malaysia along with the signing of ASEAN Charter in late 2007. It is important to see ASEAN as a crucial instrument of Malaysia's attempts in handling issues regionally and globally (Saravanamuttu, 2010) as it is well embedded in its foreign policy.

c. Lao PDR

The mention of ASEAN in various literatures about Lao PDR is surprisingly rare and limited to economic context and macroeconomic development concerning, among others, regional economic integration, trade liberalisation (Bourdet, 2000); (Leebouapao, 2014); (Howe & Park, 2015) as well as Cambodia, Laos, Myanmar and Vietnam (CLMV) cooperation under ASEAN's framework such as the Initiative for an ASEAN Integration and Narrowing Development Gap (IAINDG). Tracing back to its early days of membership in ASEAN, Lao PDR lacked any strength and national drive to commit enough to the regional organisation as it was suggested that the main reason Lao PDR decided to join ASEAN was driven by Viet Nam's joining ASEAN while the country itself was not particularly strong in its will to do so (Stuart-Fox, 1998). The move by Viet Nam was imitated by Lao PDR with regard to using ASEAN as a catalyst in its international position particularly vis-à-vis China, as well as in respect to the demands by other international organisations such as the Asian Development

Bank and aid donors with regard to the promotion of a more integrated Southeast Asia (Stuart-Fox, 1998).

II.2 Locating ASEAN in South China Sea

II.2.1 ASEAN's position through its political documents

This thesis will focus particularly on how ASEAN's position regarding the South China Sea is reflected on (1) the annual ASEAN Foreign Ministers Meeting (AMM) Joint Communique (JC) as a negotiated document led by the chair, usually issued in July and (2) the Chairman's Statement (CS) which reflected the Leaders' view (head of states/government level) that is under the chair's prerogative rights, issued twice as the outcome of ASEAN Summit every year normally in April/May and November. This is notwithstanding other crucial documents issued by ASEAN at ministerial and leader levels e.g. ASEAN-China Dialogue Partnership, however it should be noted that such documents are the result of both ASEAN-China's negotiations hence they do not reflect an untainted ASEAN's view.

Under the Bangkok Declaration 1967 and until the first ASEAN Summit was held, the AMM had functioned as the highest *de facto* decision-making body in ASEAN machinery. Upon the entry into force of the ASEAN Charter, the highest decision-making body is then assumed by the ASEAN Summit. The AMM is mandated to address all matters pertaining to political and security cooperation (except non-traditional security) in ASEAN as well as ASEAN's external relations. Starting 2001, the ASEAN Summit meets regularly on an annual basis. The Charter prescribes for the ASEAN Summit Meetings to be held twice annually. The ASEAN Summit also can be convened, whenever necessary, as special or *ad hoc* meetings to be chaired by the Member State holding the ASEAN chairmanship (paragraphs 3 (a) and (b), Article 7 of the Charter. The first Summit of the year involving the ten ASEAN Leaders is meant to discuss regional integration issues, and is normally held in the months of April or May each year. The second Summit which involves leaders of ASEAN's Dialogue Partners and the UN is normally held in October or November each year.⁵

As it becomes stronger in its voice promoting a full integration, or a Community, ASEAN's outcome documents have become a valuable instrument and opportunity to reflect its voice for international actors to understand the latest development in the region. In this regard, a political statement through annual outcome documents reflects the organisation's common view and accommodates its members' independent views, if any, in a manner that should not overlap regional's stance. It is not merely an overly long declaration on all issues discussed; for ASEAN, the ability to secure/issue a statement, declaration or agreement is an achievement by itself. There is always a

⁵ See ASEAN Charter: <http://asean.org/wp-content/uploads/images/archive/publications/ASEAN-Charter.pdf>

hidden intention and meaning behind removal, or insertion of particular language, usage of certain phrases, both in documents that are the pre-written and negotiated.

II.2.2 Inconsistency of ASEAN's position on South China Sea

In APPENDIX II, a detailed accentuations, emphasis and language concerning the South China Sea as reflected in the annual CS and JC issued during the chairmanships of Myanmar, Malaysia and Lao PDR is showcased with a view to understanding how the documents share strong similarity but furnished with different nuances. In general, ASEAN maintains its somewhat neutral position by constantly retaining its commitment on the principles of international law, including the 1982 UNCLOS, without resorting to threat or force, as well as ASEAN's concern which remains with regional stability, peace and freedom of navigation and over-flights. However, the following analysis shows how inconsistencies could still be found throughout the documents:

a. Myanmar

The degree of concerns over situation in South China Sea throughout 2014 was expressed through the term "serious concerns". It is observable that the two CSs and JC consistently put "full and effective implementation of DOC in its entirety", however it is worthy to note that the term "an early conclusion of the COC" in the first CS was elevated into "the early conclusion of the COC" on the JC and November's CS. The latter documents were also enriched with the inclusion of reference to other guiding documents including ASEAN's Six-Point Principles on the South China Sea, the urge to intensify consultation with China, importance of the collective commitments of ASEAN Member State and early harvest measures. Under the negotiated JC, the paper on the Triple Action Plan introduced by the Philippines and other proposals on Article 5 of the DOC raised by other ASEAN Foreign Ministers (FM) on the South China Sea was put under notation – which means that they were neither approved or denied, but simply noted.

The standalone FM statement resonated the same concern and use the term "an early conclusion" instead of "the early conclusion". It is also important to note that under the Nay Pyi Taw Declaration on Realisation of the ASEAN Community; that is a special statement in light of the establishment of ASEAN community in 2015 and not part of annual outcome documents; a substantive paragraph on South China Sea was also included which touched upon DOC implementation, 1982 UNCLOS, COC conclusion as well as ASEAN's Six-Point Principles while the Nay Pyi Taw Declaration itself focus on the establishment of ASEAN Community which is more perpetual in nature. This shows the degree of prominence ASEAN gave to South China Sea issue as well as naturalisation of the issue as ASEAN's perpetual agenda.

b. Malaysia

The dynamics reflected in the outcome documents under Malaysia's chairmanship is interesting; the first CS retained the expression of serious concern and included the instruction to FM in addressing this matter constructively utilising the principle of peaceful co-existence. It should be noted that the said principle is among the core foreign policy adopted by China. Further, the statement used the language of establishment of an effective COC, which brought a different notion compared to "an/the conclusion".

The negotiated JC, on the other hand, added the expression of "*serious concerns expressed by some Ministers...*" which shows the diverging views occurred by ASEAN states, as not all ministers shared the same view. Again, the COC was also mentioned under the notion of "establishment". However, it recognised a proposal by Indonesia on practical cooperation as well as Philippines' briefing on matters relating to 1982 UNCLOS which referred to the PCA tribunal. The second CS echoed the language reflected in the JC without any addition. It should be noted that the three documents included the full and effective implementation of the DOC, and there was no additional document issued during Malaysia's chairmanship. However, it should be taken into account that in 2015 Malaysia spearheaded the establishment of ASEAN Community and many outcome documents on various issues were adopted.

c. Lao PDR

The stark observation on the outcome documents of 2016 was the omission of the Permanent Court of Arbitration (PCA) tribunal⁶ in all documents.⁷ There was no new phrasing or important language observable other than the usage of *early adoption of an effective COC* in both documents, which is a strong language as it is.⁸ The standalone FM statement sponsored by Indonesia⁹ on the Maintenance of Peace, Security, and Stability in the Region did not mention South China Sea directly and simply expressed affirmation towards ASEAN's common position in the Joint Communiqué of the 49th AMM. The next section under this chapter titled Lao PDR's ASEAN Chairmanship will show how the JC tried to incorporate reference to international law (*legal and diplomatic processes*) in the most guileful approach.

d. Negotiated document vs non-negotiated document

While joint communique tends to incorporate the diverging views by incorporating notation towards certain proposal made by certain members, chairman's statement tend to repeat the agreed language from previous adopted documents. Though there is no clear-cut understanding on the degree of strength attributed to the

⁶ Arbitral Award on the South China Sea Arbitration initiated by the Philippines under Annex VII of UNCLOS 1982 against China

⁷ There was only one CS during Lao PDR as the 28th and 29th Summits were held back-to-back in August 2016

⁸ According to the *Dictionary of Diplomacy*, adoption means the formal act by which a treaty is agreed by the state involved in a negotiation or by the international organization within which the negotiation has taken place.

⁹ See <http://www.thejakartapost.com/news/2016/08/12/indonesia-stresses-peace-and-stability-in-south-china-sea-after-vietnam-fortifies-spratly-islands.html>

words *adoption*, *conclusion* or *establishment* with reference to the COC¹⁰, it is worth questioning why these words are used interchangeably while the object and purpose is clearly, supposed to be, the same. Further, such diversion of formulation is a departure from ASEAN practice to create documents from pre-written language.

This thesis, hence, has used discourse analysis to scrutinize ASEAN's political statements which shaped the discourse of South China Sea issue under the auspices of ASEAN. It is clear that ASEAN always maintains the lowest common denominator in stating its position through "maintaining peace and stability, maritime security, freedom of navigation in and over-flight above the South China Sea", emphasis on DOC and aspiration towards a COC as well as recognition of principles of international law, including the 1982 UNCLOS. On the other hand, it carefully navigates the positioning of China through direct or non-direct referencing of South China Sea or China itself, as well as ongoing events/tension on the ground. ASEAN, in this regard, constructs a notion of the ideal, or what should be happening, utilising the actual conflict on the South China Sea discourse.

II.3 Managing ASEAN's position in South China Sea

ASEAN's position on South China Sea, as reflected in the above section, is a result of multilateral negotiations, however tenuous, with the chair being a constituent component of the structure, not a third party. The three countries as chair held the same mandate that took place in a constrained environment with regard to decision-making process, with consultation, consensus and unanimity being the rule. Underlying this process is the principle of non-interference which has been rooted in and religiously operated by ASEAN. Nevertheless, the three countries exhibit different levels of engagement in the bargaining process with different stakes.

II.3.1 Myanmar's ASEAN Chairmanship

Myanmar's assumption of chairmanship took its toll at a rather important juncture, which was amidst heightened expectations for both Myanmar (upon the 2011 domestic reforms) and ASEAN (towards the accomplishment of an integrated region/ASEAN Community by 2015). Having been an ASEAN member since 1997, 2014 was the first time ever for the then-military ruling country to lead the organisation even though it has had the opportunity to chair high-level ASEAN meetings and not a camaraderie to ASEAN regional agenda. Nevertheless with taking up the role as a formal chair of all ASEAN high profile meetings, the year 2014 then required the country to take the lead in a whole different height both nationally and regionally, including setting the country's reputation straight with international stakeholders who are not familiar with the country, managing agenda and initiatives throughout the year as well as promoting and maintaining ASEAN's relations with its external partners that are

¹⁰ Personal communication, 29 November 2017

crucial for the maintenance of its regional cooperation (Thuzar, 2013). However, Myanmar's rather infancy in ASEAN benefited the country to engage itself wholefully in ASEAN community-building agenda and subsequently, be provided with relevant training to improve its capacities and capabilities in undertaking a new role as a chair (Chongkittavorn, 2014). ASEAN members as well as ASEAN Secretariat also rendered their technical supports to help the country meet the requirement for chairmanship.¹¹ To this end, the country's chairmanship was expected to take the country's stance, bilaterally and multilaterally, to a more constructive level, both with regard to the implementation of its domestic changes and participation in ASEAN agenda.

Nevertheless, the rising tensions in the South China Sea occurred in early 2014 presented a real challenge for the new chair as it was put in a conflicting position that was to maintain a balance between safeguarding ASEAN solidarity and managing its bilateral relationship with China.¹² For the seriousness and urgency of the then-ongoing incident on the South China Sea as China placed an oil-rig well inside Viet Nam's territory, the ASEAN Foreign Ministers adopted a standalone statement prior to the issuance of annual Joint Communique which later resonated the same expression. Overall, they expressed serious concern over the developments in the disputed waters, and called for all parties to exercise self-constraint and an early conclusion of the COC. However, it should be noted that the statement neither mentioned China nor specific incidents between Viet Nam and China. While the statement did not carry any message with "name and shame" towards any party, Myanmar elevated the significance of the South China Sea by creating a standalone document and subsequently, the chair was able to form a move for a clearer ASEAN voice vis-à-vis China on the South China Sea in a very subtle way. Compared with the joint statement by the ministers, the Nay Pyi Taw Declaration, which was issued in the light of forthcoming ASEAN Community 2015, did not even mention the recent tensions in the South China Sea. Although Viet Nam and the Philippines have acted more aggressively in their attitudes against China on the ground (Sun, 2014), all documents avoided picking a side.

Myanmar, ASEAN and China

The economic relations of Myanmar and China is apparent in which there is a dependency pattern crafted; Myanmar needs China's aid and investment to bolster its economy and modernization and it is clear that Myanmar still renders China as an important patron in its foreign policy (Shihong, 2014). China then had sought Myanmar's support of China's position on the South China Sea in ASEAN forums, which was not agreed by Myanmar with a view to safeguarding the principle of neutrality (Sun, 2014). While many worried that the South China Sea issue would be

¹¹ In 2005, Myanmar was forced to forgo the 2006 chairmanship of ASEAN due to external pressures mostly from western countries campaigning for human rights as well as some member states that adopt the same view (Burma will not take Asean chair, 2005)

¹² The Irrawaddy's interview with Aung Htoo, Deputy Director-General at Myanmar's ASEAN Department (Mon, 2014)

the biggest challenge for Myanmar as ASEAN chair exactly because of this reason, Myanmar was of the view that its close ties with China would be an advantage instead in dealing with the South China Sea issue.¹³ The decline of its relations with China which was also influenced by Myanmar's domestic reform created an even more sensitive situation between both – any major initiative by Myanmar that could risk China under the spotlight or escalate bigger attention towards the South China Sea issue would put Myanmar as the opposition of China (Sun, 2014).

To this end, Myanmar then maintained a neutral stance and chose to avoid any move that could create any escalation; it understood that China remains an important stakeholder geopolitically and geoeconomically while it also had to protect ASEAN solidarity (Shihong, 2014). Understanding its importance, analysts from Myanmar's Ministry of Foreign Affairs stated Myanmar's stance: "... A fallout like the one created by Cambodia in 2012 was simply out of question [so] Myanmar will not sweep the issue of South China Sea under the carpet" (Sun, 2014). As such, the issuance of the standalone ASEAN Foreign Ministers' Statement on the Current Developments in the South China Sea on 10 May 2014, which is the first of its kind since the ASEAN Declaration on the South China Sea adopted at the 25th AMM in 1992,¹⁴ reflects great commitment by Myanmar as the chair. Myanmar managed to provide a special avenue for claimant states through a dedicated ASEAN statement that addressed the South China Sea disputes while not stating any direct references to China (Tan & Korovin, 2015); (Shihong, 2014).

Overall policy

Myanmar tried hard to prove itself as a capable chair, which invoked its strong sense of ASEAN regional identity, through situating itself within ASEAN and China by accommodating both interests. It reflects that neutrality is different from staying silent. It is also makes sense for Myanmar to be neutral on this issue given that it is not a claimant state, hence it is not the country's fight to begin with. However, as a member and chair of ASEAN, the need to prioritise ASEAN solidarity is pressing; between its obligations as ASEAN chair and its domestic relations with China, Myanmar in this regard had pursued modest goals on the South China Sea issue (maintaining status quo) hence skilfully navigated collective ASEAN's position by full inclusion and discussion of the tensions in the South China Sea in ASEAN meetings but treated carefully in all outcome documents about name and shame at any parties, including China.

In this regard, Myanmar's mandate as the ASEAN chair is both set under formal boundaries set by the Charter's constitution but also 'forced' to accommodate many interests and expectations given the juncture of the chairmanship hence, leading to certain degree of appropriateness. Myanmar's chairmanship for the first time since its accession to ASEAN 17 years ago itself is a historic moment in both Myanmar's and ASEAN's history. The timing of the chairmanship is even more momentous amidst the

¹³ President's spokesman U Ye Htut (Sun, 2014)

¹⁴ ASEAN Secretariat's Post-Summit Briefing 2014

country's on-going democratisation and reform process. This juncture provides both rational and sociological impact for Myanmar's chairmanship: mounting expectations towards the chair rendered the country a formal power and hierarchy as provided by ASEAN's institutional set-up as well as support towards legitimacy for the infant chair by other Member States. Myanmar's long view of history and past rejection in taking up the role of chairmanship helps the country to know exactly how to place ASEAN as well as itself, in the regional and global scheme. Given these points, it is natural for Myanmar to perceive the importance carried upon by its role as ASEAN chair as a necessary step for the country's re-launched and rebranding into the global stage and international community at large.

II.3.2 Malaysia's ASEAN Chairmanship

As the ASEAN chair in a crucial year for the Association, Malaysia was highly expected to manage two most pressing issues: South China Sea and ASEAN community-building. Following the standoff between China and Viet Nam in 2014, during 2015 the urgency on South China Sea was placed on enhancing efforts to ensure peace, stability and security in the South China Sea by complying to the DOC, intensifying consultations with China to expedite the conclusion of the COC, identifying commonalities between ASEAN and China as well as strengthening ASEAN's leadership and centrality on the issue of South China Sea – inexplicitly explained under its chairmanship's priorities towards peace and stability through moderation.¹⁵ It should also be noted that 2015 was pledged to be the year for ASEAN to declare its establishment of one ASEAN Community, with the issuance of its commitment on 10-year vision and blueprints.¹⁶

Unlike Myanmar, Malaysia's stake as the chair is much higher; any diplomatic calamity concerning the South China Sea would affect its standpoint as both the chair and a claimant state. The AMM Joint Communique in 2015 was named as the longest communique throughout 48 years of ASEAN establishment (Chongkittavorn, 2015), beckoning the complexities experienced by the drafting committee to finalise the text – no doubt, the South China Sea issue was the one took up most of the drafting process. The joint communique was released in a rather late manner, which also indicated the nature of discussions and complexities of issues discussed among ASEAN member states (Chongkittavorn, 2015).

Malaysia, ASEAN and China

As one of the claimant states and given its close relations with China, Malaysia arguably seemed to be the most suitable country to push more aggressively on South China Sea agenda including conclusion of the COC, particularly in its capacity leading

¹⁵ ASEAN Secretariat's Post Summit Briefing 2015

¹⁶ ASEAN 2025: Forging Ahead Together was endorsed by ASEAN Leaders at their 27th Summit, which charts the path for ASEAN Community building over the next ten years.

ASEAN meetings and shaping the agenda consequently, as well as to urge China to exercise less assertive behaviour given previous incidents at sea. However, Malaysia was perceived as more likely to adopt a subtle approach in its regional diplomacy as the ASEAN chair which could be translated into preventive diplomacy measures.

China and Malaysia have had a special relationship since 1974, notwithstanding their longstanding sovereignty dispute over certain features in the South China Sea. It was the first ASEAN member that normalised relations with China (Gilley & O'Neil, 2014) and it was the one that invited China to attend ASEAN forum for the first time ever. Since 2008, Malaysia has been China's primary trading partner within ASEAN and up to 2014, China accounted for Malaysia's 12% exports and 16.9% imports and their trade accounted more than the US\$100 billion mark (Malaysia's Department of Statistics, 2014). High-level meetings between Chinese President Xi Jinping and Malaysian Prime Minister Najib Razak took place a couple of times in which both pledged to enhance ties in all aspects. In 2010, Mahathir Mohamad, the former Prime Minister of Malaysia who left a lasting legacy/'personalised hegemony' established the 'Looking East' approach, observed that "... China retains a political system that ensures stability, combined with a modified form of a "Western market" system" (Dosch, 2014) which makes Malaysia should maintain its good relations with China (Gilley & O'Neil, 2014). In the heyday of advancement of newly industrialised states and as Southeast Asian states orientating themselves around China given their economic motives (Van Klinken, 2014), Malaysia was also the one campaigning for regional economic integration (ASEAN Economic Community), making it a perpetual ASEAN agenda to present day.

Taking into account its national interests and bilateral relations, Malaysia hence did not push hard on South China Sea as it remains a highly sensitive issue; instead, it focused more on advancing ASEAN community building towards ASEAN Community establishment as well as maintaining the notion of ASEAN centrality in the region. As observed in previous section, ASEAN's statements in 2015 was not politically contentious and no specific statement concerning South China Sea was issued. As one of the founding members of ASEAN, Malaysia is well-aware of its special place in the organisation, its rather luminary's over its fellows (see previous section about its middle power trait, natural leader). Notwithstanding Malaysia's frequent emphasis that it would always be in line with ASEAN's voice, Malaysia navigated its support in a way that avoids confrontation with China and instead, compromises on initiatives that accommodate practical cooperation and dialogue through other channels, e.g. the ASEAN defense forum. This way, Malaysia secured its relations with China without harming its status quo with ASEAN; which is logical, given the limited tenure of one-year chairmanship hence it would serve as a bad political move to press China on politically sensitive issues that could disrupt Malaysia's relations with China in a longer term. Further, since China has thus far seen to be rather passive in its territorial dispute with Malaysia (Ho, Singh, & Teo, 2015), Malaysia has been known to prefer a "quiet diplomacy" rather than taking any

assertiveness towards China (Credo, 2015). To this end, Malaysia would rather manoeuvre its territorial claim on bilateral basis, just the way China prefers it.

Although excluded from the focus of this thesis, it is important to note that Malaysia could not secure a joint declaration for the ASEAN Defense Ministers Meeting (ADMM) Plus in November 2015, a forum in which both China and the US are members. An ISEAS researcher focusing on ASEAN noted that the reason for such failure was the spat between China and the US in which the former refuse any name and shame while the latter insisted on mentioning the territorial dispute (Das, 2015). Unlike ASEAN Summit and the AMM that are led/influenced by Ministry of Foreign Affairs of ASEAN members, the ADMM is led by each ASEAN countries' defense ministries which operated under different mechanisms and frameworks than the foreign affairs fronts.

Overall policy

Malaysia cleverly navigated its way in directing the tone of discussion over this sensitive issue, as well as the needed diplomatic manoeuvres to not mentioning any sensitive issues in all outcome documents under its chairmanship. Ideally, Malaysia would be an effective facilitator in concluding the COC with China, given its leverage from its close relations with China – however, Malaysia was strong on its preventive diplomacy or “low-profile” approach in addressing the maritime territorial disputes. It is wise to manage its disputes with China bilaterally than singling out this issue in regional forum without providing any feasible middle way; this created the result it expected which is to not disrupt beneficial relations with China as economic costs were entailed.

However, this chairmanship highlighted two conflicting aspects: first, it reaffirmed ASEAN's regional identity on the principles of consultation and consensus that are the core of how the organisation operates. Although South China Sea was high on 2015 agenda and some member states were pushy on their position towards South China Sea, maintaining ASEAN status quo at the lowest common denominator was still the result (amid the uncertainty whether Malaysia's leadership was the main push). Secondly, it underlined the critical but impractical role played by the ASEAN chair. While Malaysia's statesmanship in a way praised as brightly shining in navigating both parties' status quo, it brought no significant advancement on ASEAN's pressing issue right when the organisation claims its commitment to be a one integrated community. It seemed that Malaysia has been unwilling to take a further step in advancing ASEAN's position, hence, there is no value-add of Malaysia being a chair that has more political-economic capacities compare to, say, Myanmar, if it could only preserve status quo.

Malaysia's chairmanship could be concluded to operationalise under effective mandate, formal power and formal rules. The foundations of Malaysian foreign policy and Malaysia's confidence in its relationship with China suggest that Malaysia was not inclined to elevate the South China Sea as a priority during its ASEAN chairmanship. This chairmanship was strongly supported by the agenda of ASEAN Community 2015

establishment, which helped Malaysia to manage its chairmanship under the bulwark of ASEAN community rather than the South China Sea. Malaysia is considered as a luminary to its fellow ASEAN colleagues and “natural” in its leadership style; how Malaysia has successfully able to manage to include specific issue or elements in the organisation’s agenda, and makes it something perpetual or natural, viz. the economic integration as early as 1997, was a concrete evident. Even when it did not contribute anything to South China Sea, member states still regarded the chairmanship as a successful one.

II.3.3 Lao PDR’s ASEAN Chairmanship

Lao PDR, as one of ASEAN late joiners, assumed the chairmanship role for the second time in a critical transition year for the regional grouping. 2016 regarded as an important year for ASEAN as it was transitioning to a fully integrated community upon the formation of an ASEAN Community in 2015 established in Malaysia, and preparing for the commemoration of the organisation’s 50th jubilee in 2017 under the Philippines. Furthermore, 2016 was an especially important year with the much-anticipated ruling from the issuance of the Arbitral Award on the South China Sea Arbitration initiated by the Philippines under Annex VII of UNCLOS 1982 against China.

Throughout the priorities that Lao PDR outlined in 2016¹⁷, it is clear what kind of urgencies that chair placed in its agenda, nationally and regionally, which is among the prerogatives and privileges as an ASEAN chair. Among others, Lao PDR underscored the finalisation of the work plan for the IAINDG for CLMV countries’ practical economic aid and cooperation so as to catch up with and diminish the gap between them and the ASEAN-6. Furthermore, the chairmanship offered Laos valuable additional benefits in addition to the honour of shaping ASEAN’s regional agenda throughout the year: being the only landlocked country in Southeast Asia, Lao PDR secured an international spotlight by being a formal leader of an organisation that altogether constitutes the world’s seventh largest economy, signalling the significance of both ASEAN and Lao PDR in a global stage; and presented with the opportunity to host high level meetings, with the then-US president Obama coming to visit the country for the first time (Parameswaran, 2016). The year 2016 was also crucial nationally; it was the year for the congress of ruling LPRP to stocktake the country’s political and economic performance over the past five years and adopted the next five-year plan accordingly (Sayalath & Creak, 2017). The said congress also elected the new Party Central Committee as the main decision-making body which approved nominations for the President and Prime Minister (Sayalath & Creak, 2017). It should be noted that in the following year, the then-Foreign Minister Thongloun Sisoulith, which is a regular face in ASEAN especially at the AMM, was elevated as the Prime Minister. All in all, there was no urgency placed with regard to maritime security or South China Sea during Lao PDR’s chairmanship.

¹⁷ See [APPENDIX III](#)

A tone of discouragement by public (media coverage and scholarly articles) is noted since ASEAN did not single out any reference the tribunal's ruling in any of its outcome documents including July FM's communique and September Leaders' statement, and just repeating the old rhetorical terms of DOC, UNCLOS and COC (Ba, 2017). Following the ASEAN-US Special Leaders' Summit held in February 2016 in Sunnylands, California, initiated by President Obama as his farewell to ASEAN Leaders resulted in the seventeen-point joint ASEAN-US statement or the Sunnylands declaration,¹⁸ the South China Sea PCA process was never cited directly but was referenced instead under the term of "legal and diplomatic processes" which was regarded as reference towards the PCA – this would be the practice adopted in the coming outcome documents under Lao PDR's chairmanship. This Special Summit and the outcome was particularly important, bearing in mind that this was the first time ASEAN Leaders met after the official establishment of ASEAN Community by the end of 2015 and, funnily, did not took place in any ASEAN country. The 49th AMM Joint Communique has no mention on "legal and diplomatic processes" under South China Sea section, but putting the term under a generic section of ASEAN Community instead, without providing any context, that surely would give public a confusion in reading the statement. Furthermore, as ASEAN was unable to fall back to their agreed position in February 2016, assumption was placed that ASEAN had retreated from a firmer and more direct position they took prior to the issuance of the Arbitral Award. This particular development has once again presented a confusing question on ASEAN position and centrality.

While not included as a focus in this thesis, an accidental incident on a retraction of press statement happened in June 2016 following a Special ASEAN–China Foreign Ministers Meeting in Kunming, China¹⁹; it was observed that one of ASEAN countries "accidentally" (it was debated without any fixed conclusion whether it was an accidental or intentional move) posted an un-agreed statement on its website. The disputed issue was due to ASEAN's decision to issue a press statement separately regarding South China Sea notwithstanding the other issues discussed by both parties while apparently within ASEAN itself, there was no agreed position to issue such statement (Parameswaran, 2016). This, undoubtedly, has led to the questioning of ASEAN centrality when it comes to addressing the South China Sea issue.

Lao PDR, ASEAN and China

China's cultural imperialism towards Lao PDR has been deep-seated tracing back to the 14th century as the former's influence over Lao PDR's domestic institutions and structures has always been present. Economically, China has been the country's

¹⁸ <https://obamawhitehouse.archives.gov/the-press-office/2016/02/16/joint-statement-us-asean-special-leaders-summit-sunnylands-declaration>

¹⁹ The mechanism of ASEAN-China Senior Officials Meeting (SOM) as well as ad-hoc meeting such as the FM meeting is excluded from the focus of this thesis.

main partner in many fronts for ages, including trade, investment and aid (Reeves, 2016). As such, their economic relations are extended to China's overarching power and influence over Lao PDR's political structure, both in terms of national conduct and foreign relations (Reeves, 2016). Another important factor in both countries' relations is ideological reason; that the act of Maoist national liberation movement was translated to the thinking that the Chinese Communist revolutionary should also be experienced by third world countries in order to undertake a change towards progress (Fox, 1982).

China views Lao PDR as an important stakeholder with regard to its relations with ASEAN as geopolitically, Indochina has been China's natural domain in extending its influence in Southeast Asia (Fox, 1982), making Lao PDR is too important to be ignored by China; it should be kept in mind that geographical proximity is an important feature of China's rise itself. In the case of South China Sea, Lao PDR's support to suppress ASEAN's assertiveness in its common voice on South China Sea is needed by China given that it has always been in China's interest to deal with the issue bilaterally. Lao PDR seemed to have responded this in a manner that is largely in line with what Cambodia did during its capacity as ASEAN chair (Reeves, 2016) – this was in reference to Cambodia's chairmanship in 2012 in which it refused to issue a joint communique that deemed as the country's move to please China, first time ever in ASEAN's history to fail in issuing an annual communique.

From the lack of mention on what has been regarded as a real achievement on ASEAN's side in a long time with regard to the South China Sea, it seemed that there remained divergent views among ASEAN members on the arbitral award in its formal documents which rendered it difficult to reach a common position on the issue. During the finalisation of the Joint Communique, some members called for strong languages reiterating ASEAN's respect for at least, international laws and acknowledgement of a rules-based order, if the issue of South China Sea is regarded as too politically sensitive. These countries were of the view that at the bare minimum, ASEAN should reflect the position agreed in February 2016, as articulated in the AMM Retreat Press Release and the Sunnylands Declaration,²⁰ as reiterating respect to legal processes was not the same as taking sides in the dispute. On the other hand, other members took the position that a reference to the award would undermine the strategic relations of ASEAN-China, increase the tension hence deteriorate further the situation on the ground as it is clear that PCA is a big setback for China. As a result, the absence of meaningful mention on the PCA in a way confirmed the chair's irrelevance to advance its position against China, let alone for ASEAN to resolve the issue. The issuance of a standalone statement pushed and initiated by Indonesia on *Statement on the Maintenance of Peace, Security, and Stability in the Region* said nothing other than Indonesia's attempt to manifest leadership through the reiteration of commitments of ASEAN in maintaining a peaceful and stable region in light of the issuance of the arbitral award, although no specific reference made in the final text of the statement.

²⁰ Personal communication, 23 November 2017

It is unclear then for Lao PDR, as a chair, in showcasing its capacity as the chair as there was no significant move undertaken.

Overall policy

South China Sea, amidst the supposedly changing status quo with the tribunal award, did not seem to get the place it deserved in 2016. Consensus was difficult to achieve in 2016 proven by the course of events taking place in order to finalise ASEAN outcome documents, as well as the irony that the preferred language to be cited is originating from a political statement with an external party (the Sunnylands ASEAN-US declaration). It could only be assumed that the preservation of special relations of Lao PDR and China played a major role behind Lao PDR's operationalisation of chairmanship. Analysing Lao PDR's chairmanship with the mandate, resources and constraints triangle, this is the sharpest country among the three that has proven how national interest played the most prominent role above all considerations. It held strongly to its formal power in operationalising its resources based on cost-benefit basis, not putting its relationship with China at stake, resulting in an inefficient mandate undertaking. However, it managed to fully employ its resources through utilisation of other members, for example, Indonesia's initiative on the issuance of additional statement.

II.4 ASEAN Centrality through ASEAN chairmanship in South China Sea

In general, ASEAN chair bears three main duties/responsibilities formally: (a) a spokesperson; (b) a 'chief executive' in chairing and facilitating official meeting; and (c) tabling new initiatives and programmes to advance regional cooperation (Mun, 2016). These functions are built upon carrying out ASEAN perpetual agenda of community building with keeping the region's peace and stability at the heart of the process. A chairing country is the face of ASEAN during its assumption of chairmanship.

Other than the three abovementioned, it is the chair's informal role as a consensus-builder that is most important but often overlooked. The assumption of the role of the chair means that a country has to put its national interest with regional interests in an equal state; it wears both national and regional hats, in which the latter comes with the trust of member states which affect how the chair gains resource capitals from its supporters. Putting regional concerns in favour of national's is key to ASEAN's centrality; nevertheless, this is where the real challenge remains: given ASEAN's high value of unanimity, it is very easy for the members to always fall back on common denominator, water down significant achievements through some unnoticed paragraphs in a political document as the easiest way to discharge their responsibilities.

However, each chair might find, or create within their chairmanship period, a leeway to exploit opportunities in favour of its national interest. While it seems vain or shallow to judge the chair's intention through what seem like mundane, pre-written political statements, there is a merit in this: it reflects how ASEAN's habitus of

diplomacy and policy making is embodied through the control of the chair. Myanmar had done a brilliant job throughout the issuance of standalone FM statement as well as inclusion of South China Sea in the Nay Pyi Taw Declaration (that is not part of an annual outcome documents), giving South China Sea the attention it deserved given the then escalating conditions. This was in parallel with the relatively recent 2011 reformation carried out by Myanmar. Meanwhile, Malaysia was low profile and keeping the status quo, while successfully allocated its resources in formal establishment of ASEAN Community 2015 that “saved” the country from critics towards the stagnancy in South China Sea issue. To this end, Malaysia secured both its alliance to China and ASEAN. Lao PDR, on the other hand, clearly avoid any advancement in resolving South China Sea and to some extent, adopted something that is less than neutral in projecting ASEAN’s position in this issue. The three countries’ chairmanship conduct is summarised as follows:

Institutional dimension	Myanmar	Malaysia	Lao PDR
Mandate	Efficient and inefficient: first time chairing, appropriation	Efficient	Inefficient
Resource	Formal and legitimacy by social acceptance	Formal power	Formal power, social support by external factor
Constraint	Operating norms through issuance of additional documents	ASEAN community establishment being a favourable condition	Informal norms (social control), cost benefit basis

It is important to note that for all of the chairs, non-interference remain the formal constraint/true rule of the game in carrying out their tasks. In practice, non-interference offers both internal and external uses with an overarching purpose: “... to stabilise the prevailing domestic order in line with the interests underpinning specific domestic’s interest and to limit the scope of this contestation to a level where it could be managed and overcome by the forces dominating ASEAN states” (Jones L. , 2011). In this regard, non-interference is always deployed very selectively and contextually which inarguably affect how ASEAN’s stance is projected outwardly. The practice of non-interference is, therefore, determined by the melting pot of interests and concerns of ASEAN’s dominant leads, or in this case, the chair. It shows how ASEAN regionalism does not operate independently or merely based on the underlying principles; rather, its operation provides a room to alter state’s behaviour and a country’s interest. Its operation is also determined by the broader social relations between and among the chairs, ASEAN members and China in this case.

While non-interference does work its magic for ASEAN, it is very often makes ASEAN seems as rather inefficient in dealing with challenges as its non-interference and other principles limit the organisation in formulating certain move pertaining to issues that stems domestically but could bring larger effect regionally (Ba, 2010).

ASEAN's security approach still tend to be traditional in character as they are focused and directed around the preservation of mainly states' sovereignties, even though present ASEAN has incorporated a great deal of non-traditional security in its agenda or as ASEAN would call it, comprehensive approach to security.²¹ Hence, the utilisation of this principle as a regional identity very much depends on a country's preference.

What is important to scrutinized, then, is what goes beyond the nitty-gritty of chairmanship conduct or what is the unseen; that ASEAN's chairmanship and conduct as a whole should be seen more than ASEAN's regularity and mundanity; behind the agenda setting, *ad-hoc* meetings to be convened, additional statements issued, it is an embodiment of political commitment as a group empowered by national identities. Further, it should be noted that ASEAN machinery is being operated by hundreds of organs under FM/Leaders level, for example the senior officials meeting among the most prominent which are the people who actually formulate and finalise the political documents. Analysis on the dynamics at this layer would require a whole new thesis, however it is important to note that chair's preferences are not limited to material self-benefits associated with a particular negotiating output; they can be also related with a personal normative interest and/or attachment to specific issue, e.g. increased political status and better career prospects.

If, ASEAN and its non-interference principle are "...best understood as a means by which ruling forces sought to impose their preferred vision of domestic order on their societies" (Jones L. , 2011), then the importance of national identities are on-point. This is the underlying pattern of national vis-à-vis regional identities. As Acharya noted, while a principle has the effect of appropriating and restraining state behaviour, it also goes as far as "redefining state interests and creating collective interests and identities" (Acharya, 2014). Hence, the meaning of ASEAN as well as ASEAN's regional identity evolves continuously for and driven by its own members. This way, ASEAN agenda would not overlap the continuing efforts of its members to define their own national identities and hence, interests.

This issue, along with the analysis, also serves as a reflection on how ASEAN positions itself, consciously or unconsciously, in the global architecture. It is a possible presumption that, maintaining status quo with China is preferred by ASEAN so as to retain their status as middle power, contain major power's interest in the region and remain relevant, hence, ASEAN centrality; to this end, ASEAN's position is consistently inconsistent. Stubbs pointed out that none of the ASEAN members can be considered a major economic or military power, yet through ASEAN they gain a prominent position being in the core of the advancement of East Asian regionalism (Stubbs, 2014). Middle power theory emphasises that great powers have limited capability in creating an international order juxtaposed with the curb posed by middle powers; to this end, ASEAN regionalism on its internal interaction and its role of

²¹ See *ASEAN 2025: Forging Ahead Together*: <http://www.asean.org/storage/2015/12/ASEAN-2025-Forging-Ahead-Together-final.pdf>

regional leadership contributes to geopolitical stability through limiting major powers interests and putting Southeast Asia region at the centre (Egberink, 2011). Hence, this helps in explaining contemporary international politics in the region and wider scope. After all, ASEAN centrality is really about the larger dynamics of regionalism and regional architecture in the Asia Pacific and how ASEAN could remain relevant (Acharya, 2017). To some extent, this also reinforces regional identity for ASEAN as a collective as well as certain member states that maximise ASEAN as the platform to leverage their positions on this matter.

As ASEAN itself is a conduit for collective statecraftmanship, realisation of policies in engaging major powers and instrument to bring about a regional architecture driven by ASEAN centrality, so does its chairmanship serve: it is a conduit through which extant understandings and perceptions towards one's national vis-à-vis regional identities are reformulated and operationalised. National identity, here, proves its prominence; identity is not merely a vague, floating concept. It is a signifier; what makes them part of ASEAN and what makes them different from the other. This is even more significant given ASEAN's aspiration to form a common Southeast Asian identity. To this end, the three chairmanships could be summed up by the phrase of "different, but the same"; to certain degree, the three countries favour their national identities in forming their regional identities. The hat of being Burmese, Malaysian and Laotian are prominent and not putting what they have at stake. However, they manoeuvred this in a different way under the cover of ASEAN's norms and principles.

CHAPTER III

CONCLUSION

I start with outlining how ASEAN, in addition to contemporary analysis of ASEAN vis-à-vis international architecture, is very much influenced by its members' respective national identities. In order to understand such claim, ASEAN's position on South China Sea issue is taken as a case in which the organisation's inconsistent position over the years is highly determined by the leadership of ASEAN Chair. This is a rigid testament to ASEAN centrality. The three ASEAN chairs on case displayed differing leadership style which affect the outcome of the organisation's negotiation, notwithstanding the rule of game which is ASEAN's underlying principles such as non-interference.

From ASEAN's outcome documents which are issued annually as the result of its Leaders' Summit and Foreign Ministers' Meeting, subtle hints on the organisation's stance were apparent throughout the statements in which the tone of neutrality or aggressiveness was expressed in slightly different ways. Though all statements registered concerns over the issue, the degree of importance could be found in the use of clause such as "the", "an", "adoption" and "conclusion" in referring to the COC which is widely known as the main goal of ASEAN's effort in resolving the territorial dispute with China; direct and non-direct reference on the issue of South China Sea; as well as inclusion and/or exclusion of issues that are considered as "the elephant in the room" such as the PCA ruling.

This thesis holds the view that the way a country chairs the organisation, through its policy and conduct, is affected by the country's national identity. National identity, in this thesis, is seen under the paradigm of a country's political conduct, culture and international position/view which helps to understand how a country perceives itself inwardly and positions itself outwardly. ASEAN's norms and principles, which are translated as its regional identity, remain the same for the three countries and differ in utilisation. Myanmar's 'vulnerable' national identity was in juxtaposition with its commitment of upholding regional identity as it undertook the responsibility of chairing ASEAN for the first time; Malaysia, with its strong "Malay-ness" as one of the founding fathers of ASEAN, smartly navigated what to surface and what not to surface during its leadership particularly with maximising the momentum of ASEAN Community establishment in 2015; and Lao PDR, with its geographical uniqueness and history that determine how the country pretty much positions itself, strongly leaned against ASEAN's neutrality amidst pressure from its fellow ASEAN members. Their respective national identities also affect the way they see, interpret and use their relations within and with ASEAN. It is important to note, however, there is no clear cut on ASEAN's or the chair's policy; they are interwoven and could not be translated as 'policy' in definite, since for ASEAN it is 'merely' a position, not a policy.

While these were factual results of the Chairmanships, it should be noted that complex negotiations took place among ASEAN Member States which affected the chair's conducts utilising various resources, capitals, ways and means around the

chair's mandates under the constraint of ASEAN's credo of consultation-and-consensus decision making and non-interference on other countries' internal affairs. All in all, the struggles faced by the three ASEAN chairs to balance national and regional interests have caused ASEAN's inconsistent behaviour on the South China Sea issue, rooted in their footing of respective national identities and convoluted by the conflicting attitude between ASEAN's informality and institutionalisation as well as between the countries' long term economic and security interests, either bilaterally or multilaterally.

Both ASEAN, as an organisation, and its chairmanship which spearheads the organisation's move, serve as collective statecraft and policy orientations; for engaging major powers and designing regional architecture reformulation and operationalisation of national and regional identities, under ASEAN's informal regionalism as the underlying rule of game. To this end, it is imperative to note that national and regional identities are not a fluid conception. Rather, they form an ongoing process with no end which act and react on each other in complex and continually shifting dynamics. The meaning of ASEAN evolves continuously for and driven by its own members which makes ASEAN would not hinder the efforts of its members to define their own national identities and interests. This cumulating process has resulted in ASEAN being a middle power in Asia-Pacific which helps to preserve geopolitical stability as it limits major powers' role in the region emphasising ASEAN centrality. Given that it is incumbent upon the ASEAN chair to safeguard ASEAN centrality, and as this thesis has demonstrated, the role of ASEAN chair will inarguably remain imperious for ASEAN modalities and for ASEAN to remain relevant.

APPENDIX I: Matrix of National Identities

National identity: unit	Myanmar (2014) ²²	Malaysia (2015) ²³	Lao PDR (2016) ²⁴	China ²⁵
Political system	<ul style="list-style-type: none"> Parliamentary government led by a military-backed political party Party/key agency: Union Solidarity and Development Party (USDP) 	<ul style="list-style-type: none"> Federal constitutional monarchy with a system of parliamentary democracy. A centralisation trend incorporating market-oriented principles with substantial state intervention. Key agencies/actors: United Malays National Organisation (UMNO), Barisan Nasional, Mahathir Mohamad 	<ul style="list-style-type: none"> Socialist communist: <i>socialisme à la laotienne</i> (Lao-style socialism) Divergent socialist trajectory: market liberalization, socialist transformation and capitalist incorporation Party/key agencies: Lao People's Revolutionary Party (LPRP), Lao Communist Party 	<ul style="list-style-type: none"> Unitary one-party socialist republic Main political structure consists of two interrelated institutions in-charge of decision making: "the party" and "the state/government": the Chinese Communist Party (CCP), commanded by the Party Politburo and its Standing Committee; and the state government, headed by the premier, who leads the State Council/cabinet.
National culture: official languages, religions, ethnic groups,	<ul style="list-style-type: none"> Theravada Buddhism Close relationship between religion and political power Political monks and nationalist movement 	<ul style="list-style-type: none"> Truly Malaysian campaign Bahasa Malay Ethnicisation; Malay, Chinese, Indian, and others/ Bumiputera and the non-Bumiputera / Malay 	<ul style="list-style-type: none"> French occupation National Buddhist religion New national history for Laos: the importance of ethnic minorities in portrayals of the people, drawing on historical 	<ul style="list-style-type: none"> Confucianism, focuses on the cultivation of virtues and the maintenance of ethics Courtesy stresses modesty and prudence 56 ethnic groups with Han domination

²² (Steinberg, 2010); (Myanmar's Ministry of Foreign Affairs, 2014); (Galache, 2014); (Dittmer, 2010); (Jönsson, 2010)

²³ (Nelson, Meerman, & Embong, 2008); (Baginda, 2016); (Jogulu & Ferkins, 2012); (Hutchinson, 2014); (Malaysia's Ministry of Foreign Affairs, 2017)

²⁴ (Ivarsson, 2008); (Soukamneuth, 2006)

²⁵ (Martin, 2010); (Wenjuan, 2017); (Lihua, 2013); (Curtis, 2016); (Cohen, 2014); (Banwo, 2015)

historical experiences	<ul style="list-style-type: none"> • Multi ethnics: 1982 Citizenship Act on official ethnics • British occupation • India influence during British annexation 	<p>Bumiputera and non-Malay Bumiputera</p> <ul style="list-style-type: none"> • Muslim domination • British occupation 	<p>conditions of nation-building and the struggle against the outer enemies</p> <ul style="list-style-type: none"> • Standardisation of Lao language • Lao/Thai trajectory 	
International status/view, including foreign policy	<ul style="list-style-type: none"> • Independent and non-aligned • Five Principles of Peaceful Co-existence • ASEAN as a cornerstone • Geographical factors (India and China) and economic and social change pressure 	<ul style="list-style-type: none"> • Influenced and shaped by three key factors: location in Southeast Asia, its attributes as a trading nation as well as its demography. • ASEAN as a cornerstone 	<ul style="list-style-type: none"> • Landlocked, dominated by big neighbors (China, Thailand, Viet Nam), makes it highly reliant on foreign donors. • A foreign policy of peace, “independence, friendship and non-alignment” 	<ul style="list-style-type: none"> • Five Principles of Peaceful Co-existence • Reclaiming its rightful position as regional leader, and sees its actions as those of a benevolent elder to be respected.

APPENDIX II: Matrix of ASEAN Outcome Documents²⁶

Outcome Documents ²⁷	Myanmar (2014)	Malaysia (2015)	Lao PDR (2016)
<i>Formulation, mentioning of China and South China Sea, inclusion of sensitive phrase and issuance of additional statement outside the annuals</i>			
ASEAN Summit	<p>24th Summit Chairman's Statement (May 2014)</p> <ul style="list-style-type: none"> • <i>Serious concerns</i> over the on-going developments in the South China Sea; • Full and effective implementation of the DOC <i>in its entirety</i>; • The universally recognized principles of international law, including the 1982 UNCLOS; • <i>An early conclusion</i> of the COC. <p>25th Summit Chairman's Statement (November 2014)</p> <ul style="list-style-type: none"> • <i>Remained concerned</i> over the situation in the South China Sea; • The universally recognised principles of international law, including the 1982 UNCLOS 	<p>26th Summit, April 2015</p> <ul style="list-style-type: none"> • <i>Serious concerns expressed by some Leaders on the land reclamation</i> being undertaken in the South China Sea; • <i>Instructed Foreign Ministers</i> to urgently address this matter constructively including under the various ASEAN frameworks such as ASEAN-China relations, as well as the <i>principle of peaceful co-existence</i>; • Full and effective implementation of the DOC <i>in its entirety</i>; • International law including the 1982 UNCLOS; • Intensify the consultations on the COC to ensure the <i>expeditious establishment of an effective COC</i>. 	<p>28th and 29th Summit</p> <ul style="list-style-type: none"> • <i>Seriously concerned</i> over recent and ongoing developments • <i>Took note of the concerns expressed by some Leaders</i> on the land reclamations and escalation of activities in the area • International law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS). • <i>Importance of non-militarisation and self-restraint in the conduct of all activities</i>, including land reclamation that could further complicate the situation and

²⁶ Italic is added

²⁷ Omission: ASEAN Regional Forum (due to China being one of the participants), ASEAN Defense Ministers Meeting (chaired by other line ministry) and SOM on DOC (chaired by country coordinator)

	<ul style="list-style-type: none"> • The principles as contained in the DOC, ASEAN's Six-Point Principles on the South China Sea, the JS of the 15th ASEAN China Summit on the 10th Anniversary of the DOC and the related ASEAN Statements adopted during the 24th ASEAN Summit. • <i>Intensify consultations</i> with China on measures and mechanism to ensure and further enhance the full and effective implementation of the DOC <i>in its entirety</i>, and on <i>the early conclusion of COC</i> • More early harvest measures • The importance of the <i>collective commitments</i> of ASEAN Member States to peace, stability, maritime security and mutual trust in the region and the need to create <i>conditions conducive for the peaceful settlement of disputes</i>. 	<p>27th Summit, November 2015</p> <ul style="list-style-type: none"> • Shared the concerns <i>expressed by some Leaders</i> on the increased presence of military assets and the possibility of further militarisation of outposts in the South China Sea; • Full and effective implementation of the <i>DOC in its entirety</i>; • Urged that consultations be intensified to ensure the <i>expeditious establishment of an effective COC</i>; • Emphasised the importance for the <i>states concerned to resolve their differences and disputes through peaceful means</i>, in accordance with international law including 1982 UNCLOS. 	<p>escalate tensions in the South China Sea.</p> <ul style="list-style-type: none"> • Importance of the full and effective implementation of the <i>DOC in its entirety</i> • <i>Early adoption of an effective COC</i>; • Importance of undertaking <i>confidence building and preventive measures to enhance, among others, trust and confidence</i> amongst parties.
ASEAN Foreign Ministers Meeting	<p>47th AMM Joint Communique, August 2014</p> <ul style="list-style-type: none"> • <i>Remained seriously concerned over recent developments which had increased tensions</i> in the South China Sea • Universally recognised principles of international law, including the 1982 UNCLOS. • ASEAN's Six Point Principles on the South China Sea, the 2012 Joint 	<p>48th AMM Joint Communique, August 2015</p> <ul style="list-style-type: none"> • <i>Remained seriously concerned over recent and ongoing developments</i> in the area; • <i>Took note of the serious concerns expressed by some Ministers</i> on the land reclamations in the South China Sea; 	<p>49th AMM Joint Communique, July 2016</p> <ul style="list-style-type: none"> • <i>Seriously concerned over recent and ongoing developments and took note of the concerns expressed by some Ministers</i> on the land reclamations and escalation of activities in the area

	<p>Statement of the 15th ASEAN-China summit on the 10th Anniversary of the DOC, and the ASEAN Foreign Minister's Statement on the Current Developments in the South China Sea on 10 May 2014.</p> <ul style="list-style-type: none"> • <i>Intensify consultations</i> with China on measures and mechanisms to ensure and further enhance the full and effective implementation of the DOC <i>in its entirety</i>, particularly Articles 4 and 5 as well as substantive negotiations for <i>the early conclusion</i> of the Code of Conduct in the South China Sea (COC). • A series of early-harvest measures. • <i>Noted the c</i> 	<ul style="list-style-type: none"> • Full and effective implementation of <i>the DOC in its entirety</i>; • Universally recognised principles of international law, including the 1982 UNCLOS; • <i>Effective implementation of the agreed Early Harvest Measures</i>; • The importance of <i>expeditious establishment of an effective COC</i>; • Preventive measures should be undertaken to address developments in the South China Sea, with the objective, among others, to enhance <i>trust and confidence amongst parties</i>. • <i>Took note of Indonesia's proposal</i> to establish a hotline of communications at the high level in the government between ASEAN and China to address emergency situations on the ground; • The Philippines briefed the Meeting on further developments including matters particularly relating to the 1982 UNCLOS. 	<ul style="list-style-type: none"> • International law, including the 1982 UNCLOS • <i>Early adoption of an effective COC</i> • Implementation of the <i>DOC in its entirety</i> as well as substantive negotiations for the <i>early conclusion of the COC</i>.
Additional documents	<p>ASEAN Foreign Ministers' Statement on the Current Developments in the South China Sea, 10 May 2014</p> <ul style="list-style-type: none"> • <i>Serious concerns</i> over the on-going developments in the South China Sea 	N/A	<p>FM Statement on the Maintenance of Peace, Security, and Stability in the Region, July 2016</p> <ul style="list-style-type: none"> • reaffirm ASEAN's common position in the Joint Communiqué of the 49th AMM;

	<ul style="list-style-type: none"> • Universally recognised principles of international law, including the 1982 UNCLOS • ASEAN’s Six-Point Principles on the South China Sea • Full and effective implementation of the DOC and <i>an early conclusion</i> of the Code of Conduct in the South China Sea (COC). <p>Nay Pyi Taw Declaration on Realisation of the ASEAN Community by 2015, 11 May 2014</p> <ul style="list-style-type: none"> • To strengthen cooperation for the full and effective implementation of DOC, in accordance with universally recognized principles of international law including the 1982 UNCLOS, especially calling on all parties to exercise self-restraint and non-use of force, as well as refrain from taking actions that would further escalate tension and to work towards an early conclusion of the COC as reflected in the ASEAN’s Six-Point Principles on the South China Sea. 		<ul style="list-style-type: none"> • Exercise self-restraint and refrain from activities that might raise tension in the region
<p><i>Remarks: pro/against ASEAN neutrality/China?</i></p>	<p>Neutral to against – internal, domestic reform, strong commitment as a chair</p>	<p>Neutral – too many to jeopardize, increasing relations with China</p>	<p>Orientating towards China, leaning against ASEAN neutrality</p>

APPENDIX III: Chairmanships' logo, theme and priorities

Myanmar



Malaysia



Lao PDR



Priorities		
Myanmar	Malaysia	Lao PDR
<ul style="list-style-type: none"> • To formulate ASEAN Community Post-2015 Vision collectively; • To promote small and medium enterprises (SMEs) as prime movers of ASEAN's economic development in 21st century; 	<ul style="list-style-type: none"> • To complete the Roadmap for an ASEAN Community (2009-2015) and establish the ASEAN Community by the end of the year; 	<ul style="list-style-type: none"> • Implementation of the ASEAN Community Vision 2025 and its Blueprints; • Narrowing Development Gap, including the finalisation of the Initiative for ASEAN Integration (IAI) Work Plan III;

<ul style="list-style-type: none"> • To address narrowing the development gaps within and among Member States; • To promote the Master Plan on ASEAN Connectivity that will also incorporate connectivity with our external partners; • To seriously consider the sustainable development; • To address the growing trend of aging population; • To promote resilience in addressing crisis and disasters; • To take a balanced approach in expansion of relations with its Dialogue Partners; and • To set expectations aimed at achievable results. 	<ul style="list-style-type: none"> • To develop and finalise the ASEAN Community's Post-2015 Vision and attendant documents; • To bring ASEAN closer to the people; • To strengthen SMEs; • To expand intra-ASEAN trade and investment; • To strengthen ASEAN institutions by implementing the recommendations by the High Level Task Force on the Strengthening the ASEAN Secretariat and Reviewing the ASEAN Organs; • To promote peace and security through moderation; and • To enhance ASEAN's role as a global player, through, among others, having an ASEAN's response to urgent situations of common interest and concern. 	<ul style="list-style-type: none"> • Trade Facilitation; • Small and Medium Enterprise Development; • Tourism Development; • Connectivity, including the finalisation of the Post-2015 Agenda for ASEAN Connectivity; • Vientiane Declaration on Decent Work Promotion: Informal Economy in ASEAN; and • Enhance Regional Cooperation for the Preservation, Protection and Promotion of ASEAN Cultural Heritage.
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