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Paradoxes and Unintended Consequences of Interregional Democracy Promotion: Normative and Conceptual Misunderstandings in EU-ASEAN Relations

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Abstract

This paper examines a facet of interregional interactions which has so far received only limited attention: the issue of capacity building through interregionalism. It takes a closer look at the EU's interregional cooperation with ASEAN and argues that there are definite limits to capacity building. The latter are due to misunderstandings of the normative foundations of ASEAN which are much more deep-seated than historically uninformed contemporary political analyses with their overoptimistic belief in the transformative power of norms associated with European regional integration suggest. What observers regard as a seeming appropriation of European ideas and policies associated with European regionalism by ASEAN is hardly more than a localization of these ideas. It is therefore one of the unintended consequences of European capacity building that with their references to the European model of regional integration ASEAN elites modernize and re-legitimize extant ideas of Southeast Asian regionalism. Southeast Asian elites thus apply European capacity building as a deliberate strategy to strengthen rather than replace local ideational orthodoxies. Capacity building, especially if it seeks to facilitate normative transformation, thus exhibits the opposite effect of what external norm entrepreneurs hoped to achieve.

Key words

Interregionalism, capacity building, EU, ASEAN

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Introduction

Although its roots can be traced back to the early 1970s, interregionalism is still a relatively new phenomenon in the international institutional architecture (Hänggi, Roloff & Rüländ 2006). While the European Union (EU) and the Association of Southeast Asian Nations (ASEAN) were early promoters of bi-regional interregionalism, the 1990s saw a proliferation of interregional forums and a pluralization of formats of interregional interaction (Hänggi 2006; Rüländ 2010, 2014c). Interregionalism became a new institutional layer, connecting global and regional policy processes in an emerging and increasingly horizontally- and vertically-differentiated multi-level system of global governance. In the process, studies on the formats, functions and effects of interregional cooperation became an established field of research under the wider umbrella of regionalism studies.

This paper examines a facet of interregional interaction which has so far received only limited attention: the issue of capacity building through interregionalism (for exceptions, see Doidge 2011; Jetschke & Portela 2012; Jetschke 2013). It takes a closer look at the EU's interregional cooperation with ASEAN and argues that there are definite limits to capacity building. These are due to misunderstandings of the normative foundations of ASEAN which are much more deep-seated than historically uninformed contemporary political analyses, with their over-optimistic belief in the transformative power of norms associated with European regional integration, suggest. What observers regard as an appropriation of European ideas and policies associated with European regionalism by ASEAN is hardly more than a localization of these ideas.¹ It is therefore one of the unintended consequences of European capacity building that through their references to the European model of regional integration ASEAN elites modernize and re-legitimize extant ideas of Southeast Asian regionalism. Southeast Asian elites thus apply European capacity building as a deliberate strategy to strengthen rather than replace local ideational orthodoxies. Capacity building, especially if it seeks to facilitate normative transformation, thus exhibits the opposite effect to what external norm entrepreneurs hoped to achieve.

This paper is organized in four major sections. After this short introduction, a theoretical section follows which embeds the paper in interregionalism research and norm diffusion theory. The empirical part of the paper traces the flow of ideas, concepts and policies from Europe to Southeast Asia. I argue in this section that there is a paradox: Rather than the liberal-cosmopolitan ideas that the EU promotes today, Southeast Asia has imported older and highly conservative European ideas (Reeve 1985; Simantunjak 1989; Bourchier 1999; Lindsay 2006) and has made them congruent with the region's pre-colonial "cognitive prior" (Acharya 2004, 2009), which – deeply embedded in the collective memory of political elites – strongly curtailed the normative impact of European capacity building. Viewed from a *longue durée* perspective, organicist and corporatist ideas are probably Europe's most successful and, for that matter, most sustainable ideational export items, not only to Southeast Asia, but to many other parts of the globe as well (Wiarda 1997). As an example, the paper discusses European support measures for democratizing regional governance in Southeast Asia. After eventually realizing the limited transformative capacity of the liberal-cosmopolitan ideas they promoted, the European Commission and EU member governments changed gear by intensifying technocratic forms of capacity building which may have positive effects on ASEAN's work efficiency, but hardly promote normative transformation. What is more, these technocratic reforms are also subject to the limits of

¹ On the concept of localization, see Acharya (2004, 2009).

capacity building, as evaluations have often shown. The concluding section summarizes the results of the study and provides an outlook for further research.

Theoretical Premises

Research on interregionalism has so far failed to develop a persuasive and parsimonious theoretical framework. Therefore, most studies operate with eclectic theoretical approaches which often combine realist, institutionalist and constructivist arguments (Rüländ 2002). Capacity building is a function of interregional forums which scholars tend to investigate from an institutionalist vantage point. The assumption is here that capacity building strengthens global and regional institutional architectures by increasing their effectiveness and making them compatible with the values and policies preferred by the actor offering the pertinent know how. Capacity building seeks to overcome regional actorship asymmetries which may impede interregional cooperation by nourishing fears on the part of the weaker regional actor of being outsmarted in the process of interaction. Upgraded expertise and better knowledge management heightens the weaker actor's confidence and hence facilitates deals and agreements. Ultimately, institutionalists believe that greater effectiveness strengthens the (output) legitimacy of international institutions and thus contributes to curtailing the anarchic character of international politics (Doidge 2011).

Studies on capacity building open up interregionalism research for norm or policy diffusion studies, another perspective that has not yet played more than a marginal role in research on interregional relations (Rüländ 2010, 2014c). However, norm diffusion studies – though burgeoning in the past decade – struggle with their own problems. Many of them explore only epiphenomena of norm diffusion. They concentrate on institutional design and exhibit problems in identifying how and, in particular, to what extent external challenges change the underlying extant norms of the norm receiving organization. First, there is a widespread tendency to take domestic legal changes and a change in rhetoric and institutional terminology as an indicator of normative transformation in the recipient society (Garelli 2012). However, such a view overlooks local orthodox norms and ideas deeply rooted in the collective memory of the recipient society, the “cognitive prior” (Acharya 2004, 2009), which is shaped over much longer time frames than diffusion studies generally assume. Even constructivist scholarship, which is more conducive to diachronic research perspectives than other strands of IR theory, suffers from this flaw, often failing to enrich its analysis with the insights that the History of Political Ideas may provide.² Thus, more important than studying organizational design is the study of the normative design of institutions. Second, as Acharya insisted, early generations of norm diffusion studies were strongly biased towards the agency of external norm entrepreneurs and ignored the agency of norm recipients and their ability to reconstruct alien norms and ideas (Acharya 2004, 2009; March & Sharman 2009: 279). This resulted, third, in a one-directional perspective of normative change, by which Western liberal-cosmopolitan norms driven by Western governments, Western-dominated international organizations, and Western-based transnationally operating civil society advocacy networks seemingly radiate from the West to the rest. The unwitting underlying assumption of such a modernization theory-inspired, teleological research perspective is that Western values are inherently good and

² Unfortunately, and contributing to this lacuna, the History of Political Ideas has lost much of its previous position in Western curricula of Political Science and is playing an even more marginalized role in non-Western countries, where critical scholarly work on the history of political thought is still very much in its beginnings.

progressive, while non-Western norms and ideas are inferior, giving rise to what Acharya has criticized as “moral proselytism” (Acharya 2004: 242). These studies ignore that the flow of ideas is omni-directional, with ideas – while traveling – often making detours or even producing feedback loops which impact on the external normative challengers. In other words, there are not only outward-in flows of ideas, but also inward-out flows.

These deficiencies of early norm diffusion research have largely been remedied by Acharya’s theory of constitutive norm localization. This paper follows Acharya’s argument that the more deeply entrenched the “cognitive prior,” the more unlikely it is that an external norm entrepreneur will succeed in wholly transforming the normative repository of a norm recipient. Even if the external challenge is strong, if it is supported by “insider proponents” (Acharya 2004, 2009), if there is political space for ideational contestation (Rüländ 2014a) and if the normative orthodoxy no longer fulfills the expectations associated with it (Legro 2000), under conditions where there is an entrenched “cognitive prior” the most likely outcome is norm localization. Norm or ideational localization denotes a process in which norm recipients are by no means passive norm takers, but rather actors who through framing, grafting and pruning reconstruct the external norms or ideas, thereby making them congruent with the “cognitive prior” (Acharya 2004, 2009). Framing denotes agenda-setting by using language to highlight and dramatize issues (Acharya 2004: 242), grafting “is a tactic norm entrepreneurs employ to institutionalize a new norm by associating it with a pre-existing norm in the same issue area” (ibid: 243) and pruning means the selection of “those elements of the new norm which fit the pre-existing normative structure and rejecting those which do not” (ibid: 251). Put more simply, localization denotes a fusion of old and new norms and ideas. By preventing wholesale normative transformation and creating a new normative “third,” localization usually produces unintended effects for the external norm entrepreneurs, especially if the agency of norm recipients succeeds in reconstructing the external norms in a way that modernizes and re-legitimizes extant local ideas in the recipient society.

The Flow of European Ideas to Southeast Asia and Capacity Building

This section explores the flow of European ideas to Southeast Asia and examines how and to what extent Southeast Asian elites appropriated them. It was Ian Manners, with his characterization of the EU as a “normative power” (Manners 2002), who stimulated the extension of Europeanization research beyond its initial concern for assessing the extent to which accession countries adopted the EU’s *acquis communautaire*. Building on Manners, students of the EU’s external relations claimed that the EU acts as an exporter of the liberal-cosmopolitan values that constitute its ideational core such as democracy, liberty, respect for human rights and fundamental freedoms, rule of law and good governance (Wang 2012: 10). In their view, the EU tends to “reproduce itself” (Bretherton & Vogler 2006: 249) in relations with non-members through “the external projection of internal solutions” (Lavenex 2004: 695; Börzel & Risse 2004: 3; Bicchi 2006: 286).

But in the view of these analysts the EU is not only actively exporting European concepts of regional integration. As the purportedly most advanced system of regional integration, they also argue that the EU is often emulated by regional organizations that have formed more recently. Both processes – active exportation of European norms and the isomorphic behaviour of elites outside Europe – have given rise to assertions that regional

organizations across the globe become increasingly similar (Jetschke & Lenz 2011; Jetschke 2013), foreshadowing an increasing Europeanization of regional integration.

I doubt that the concept of a convergence of processes of regional integration can be sustained empirically. As the case of ASEAN suggests, there is much evidence that non-Western regional organizations retain key elements of their cooperation culture, even though on first sight they seem to appropriate European concepts of regional integration. Major differences in normative underpinnings among regional organizations thus persist.³ A prime example in this respect is the democratization of ASEAN as a regional organization.⁴

The “cognitive prior”: Fusing Western and local forms of organicism

On the European side, what causes serious misjudgments of the impact democracy promotion may have in Southeast Asia is a lack of awareness that in the past many countries in the region imported from Europe anti-liberal nineteenth-century political thought in the form of organic state theory which they amalgamated with pre-colonial local organicist ideas. Organic state theory regards the state as an organism in which the whole is more valuable than the parts. Like in a living organism, all organs have their function and place in the whole. The family is also regarded as such a “substantive whole” (Theimer 1955: 214), which is often used as an analogy for the significance of smooth interaction between the parts and the whole. If one organ fails to function or if a family member leaves its assigned place, it jeopardizes the whole and disturbs (social) harmony. Hegelian organic state theory thus posits that the constituent parts must be naturally and harmoniously integrated under the leadership of the state.

While the parts of the state are by necessity interdependent, it does not follow that they are equally indispensable. Some parts, like some (state) organs or some family members, are more important for the proper functioning of the whole than others. This inequality of the constituent parts of society and the quest for social harmony constitute a state order characterized by hierarchy, vertical organization and a twin-premium placed on leadership and popular obedience. The recipe for social harmony is a society that is not horizontally structured on the basis of class antagonism, but vertically pillared along functional lines. The formation of interest groups is here entirely in the hands of the state, which has a representational monopoly and seeks to suppress autonomous interest organizations that may challenge its hegemony. Through the licensing of interest groups and their limitation to only one single representational body in a given sector, the state curtails competition, controls leadership selection, tightly circumscribes participatory rights, controls the resources, supervises the activities and defines the functions of representative bodies (Schmitter 1979: 93). The latter are usually confined to auxiliary functions for the state such as bringing in technical expertise and carrying out para-statal regulatory tasks in their respective functional domain, mobilizing support for the government, co-opting functional elites, explaining government decisions and dispensing services to their members. Applying Cohen and Uphoff’s four modes of participation, such corporatism usually only implies “participation in implementation” and “participation in benefits.” It stands for a top-down type of participation that entails very little “participation in decision-making” and “participation in evaluation” typical of liberal-pluralist systems of interest representation

³ For a profoundly skeptical view of the Stanford school’s world polity approach and its assumption of an increasingly homogenizing world, see also March and Sharman (2009: 279-280).

⁴ The following two paragraphs strongly draw from Rüländ (2014a).

(Cohen & Uphoff 1980). It is only selectively inclusive and largely “a means of social and political control” (MacIntyre 1994: 6).

But why would Southeast Asian elites import European organicist ideas? Their rationale for doing so is best documented in relation to Indonesia. Western organicism, in the first half of the twentieth century a highly influential ideology in many European countries, became an argumentative frame for promoting national independence. The organicist notion of the state as “the spiritual manifestation of the people, as a quasi-religious emanation of their racial and ethnic essence,” allowed them, first, to determine what constitutes the Indonesian *Volksgeist* (Lindsay 2006: 23) or, expressed differently, what constitutes Indonesian-ness. Second, Western organicist ideas stressing harmony and unity fitted the nationalists’ need to rally indigenous Indonesians behind their cause. Third, by grafting Western ideas of organicism with precolonial organicist traditions as epitomized in local customary law (*adat*), from which they likewise derived norms such as harmony, unity, balance, reciprocity, leadership, loyalty and familism, they modernized and re-legitimized what they had constructed as an age-honored indigenous normative order. And, fourth, this ideational *mélange* of imported and re-constructed local values also legitimized the independence leaders’ claim for political leadership in the post-colonial state. Celebrated as an ideology that facilitated the achievement of national independence, Western organicism – localized by its marriage with older indigenous organicist traditions – created a “cognitive prior,” which European and other Western democracy promoters have so far found impossible to transform.

Besides Indonesia, the congruence between nineteenth-century romanticist Western organicist ideas and extant local ideas can also be shown for other Southeast Asian countries such as Thailand, the Philippines and Singapore (Rüländ 2014a). The authoritarian-bureaucratic regimes prevalent in Southeast Asia during much of the second half of the twentieth century further deepened this “cognitive prior” and built corporatist regimes in which interest representation was strictly state-controlled.

Given this ideational context, early European attempts to promote democratization in Southeast Asia failed. Although they were less forceful in Asia than in other parts of the world (Office for Promotion of Parliamentary Democracy 2010: 26), they gained momentum with the end of the Cold War.⁵ As most prominently expressed in Fukuyama’s treatise on the “end of history” (Fukuyama 1992), they were strongly inspired by beliefs that liberal democracy sooner or later would globally become the “only game in town” (Przeworski 1991). At the time, European democracy promotion and the related capacity-building measures focused almost exclusively on individual countries and not on ASEAN as a regional organization. Like many other Western governments in the early 1990s, the then European Community (EC) initiated a conditionality policy threatening countries with sanctions if they failed to strengthen democracy, respect human rights, promote rule of law and good governance, become more development-oriented and dismantle their military apparatuses (Börzel & Risse 2004).⁶ In Southeast Asia, this policy crystallized in the sanctions against the Burmese military junta until 2013. Meanwhile, in 1988, the European Parliament began to award the prestigious Sakharov Prize for Freedom of Thought, which in 1990 was awarded *in absentia* to Burmese opposition icon Aung San Suu Kyi.⁷

⁵ For the evolution of the EU’s democracy promotion, see Börzel & Risse (2004) and Office for Promotion of Parliamentary Democracy (2010).

⁶ In the case of Southeast Asia, the EC’s shift to a more normative policy became clearly visible at the ASEAN-EC dialogue meetings in Luxemburg (1991) and Manila (1992).

⁷ “European Parliament Sakharov Prize for Freedom of Thought,” available at:

Yet this policy proved largely futile as ASEAN countries bluntly rejected any interference into their internal affairs and even rallied behind the Burmese pariah regime. With Southeast Asia's unprecedented economic dynamism on the one hand, and Europe's protracted economic recession and slow responses to the accelerating process of globalization on the other, the historical momentum seemed to be with the Southeast Asians. This led to unexpected and unintended effects for the EU: A strong ideational reaction on the part of ASEAN member countries. The latter countered European normative policies with an ideology of their own: known as the Asian values thesis, this ideology strongly built on organicist ideas such as the significance of authority, hierarchy, unity, social harmony and consensus (Robison 1996: 311). Another unintended effect was that, as long as the region's economies grew, the Asian value thesis further entrenched and reproduced the organicist world view in Southeast Asia. With economic priorities coming to the forefront of European interests, the EC subsequently markedly down-toned its normative agenda and began to return to a pragmatic policy of *realpolitik* that bracketed normative disagreements. This policy became most visible in the EC's 1994 New Asia Strategy,⁸ which was devoid of strong normative statements, and the Asia-Europe Meeting (ASEM), which met for the first time in 1996, and only came into being after Europeans begrudgingly accepted that normative issues such as democratization and human rights would be excluded from the agenda (Rüländ 1996; Gilson 2002; University of Helsinki 2006).

The Aftermath of the Asian Financial Crisis: Europeanizing ASEAN?

Theories of social change consider external shocks to be critical junctures for fundamental ideational reorientation and the Asian Financial Crisis seemed to provide just such a shock (Legro 2000). The crisis did indeed have severe socioeconomic repercussions for the countries most seriously affected by it; Indonesia, Thailand and Malaysia. It undid much of the economic growth of the previous decade and discredited the region's growth model (Henderson 1998; Dieter 1998; Rüländ 2000). In one country, Indonesia, the crisis propelled wholesale regime change and ushered in a process of democratization (Bünthe & Ufen 2009; Crouch 2010), while elsewhere in the region it led at the least to an increasing contestation over the course of urgently needed political and institutional reforms.

At the level of ASEAN regionalism, the crisis laid siege to the grouping's established repository of cooperation norms as epitomized by the ASEAN Way (Acharya 2001; Haacke 2003). The ASEAN Way stresses Westphalian sovereignty norms, an intergovernmental nature of regional cooperation and a strictly state-centered decision-making process which hitherto had not allowed more than token participation of non-state stakeholders. Under the aegis of the ASEAN Way, member states transmitted the organicist ideas and corporatist arrangements of interest representation from the domestic level to the regional level. As a result, ASEAN's regional interest representation reflects key elements of corporatism such as the attempt to form unitary apex organizations, closely control interest group formation and their operations, attach to them merely consultative functions and utilize them as transmission belts for ASEAN governments with the objective of mobilizing support for ASEAN policies (Collins 2008; Rüländ 2014a). Therefore, critics inside and outside the region, including the EU, took to task ASEAN's seemingly elitist and non-participatory decision making, which in their view led to a situation where the weaker segments of society in

<http://www.europarl.europa.eu/aboutparliament/en/00f3dd2249/Sakharov-Prize-for-Freedom-of-Thought.html>, (accessed 5 October 2014). Due to imprisonment and house arrest, Aung Suu Kyi could collect the prize only in 2013.

⁸ See "Towards a New Asia Strategy. Communication from the Commission to the Council. COM (94) 314 final," 13 July 1994.

particular had to bear the brunt of the adverse socioeconomic consequences of the crisis (Acharya 2003; Collins 2008, 2013; Gerard 2013a,b, 2014; Rüländ 2014a,b).

After the Asian Financial Crisis European democracy promotion resumed. Cooperation agreements – and more recently the Partnership Cooperation Agreements (PCAs)⁹ – with ASEAN countries included the “essential element” clause on democracy and human rights¹⁰ and normative issues were also no longer taboo in ASEM’s political dialogue (Hadiwinata 2008: 6). Both the European Commission’s 2001 strategy paper on relations with Asia (European Commission 2001) and its 2003 Southeast Asia strategy (European Commission 2003) elevated democracy promotion to a priority for the EU (Sukma 2009: 12). At the level of individual countries, the EU conducted numerous election observer missions in order to help ensure that elections in the region were free and fair.¹¹ Election observer missions were part of the European Instrument for democracy and Human Rights (EIDHR), which launched in 2006, primarily supported civil society organizations fighting torture and the death penalty and advocating democracy, economic and social rights, international justice and women, children and minorities’ rights.¹²

However, more noteworthy is the fact that – hand in hand with “insider proponents” such as major civil society advocacy networks in the region, including the Solidarity for Asian People’s Advocacy (SAPA) and subsequently the ASEAN People’s Forum (APF) – the EU also began to promote the democratization of regional governance. At the forefront of these moves was the European Parliament (EP), which repeatedly expressed its dissatisfaction with the low level of democratization ASEAN had achieved as a regional organization, with legislators’ critique focusing on the lack of competences vested in the ASEAN Inter-parliamentary Assembly (AIPA). The EP thus called for a parliamentarization of ASEAN and an empowerment of civil society. EP legislators expressed these views in speeches made at AIPA’s annual general assembly meetings, where the EP has observer status; in parliamentary hearings, to which they often invited Asian civil society representatives; and in several resolutions (Rüländ 2015 forthcoming).¹³ In a resolution on EU-ASEAN relations passed in January 2014, the EP proposed that the parliament’s Office for the Promotion of Parliamentary Democracy (OPPD), a unit newly established in 2008, become involved in capacity-building measures to strengthen AIPA.¹⁴ In addition, in an obvious division of labor with EU bodies, EU member governments also started projects focusing on ASEAN bodies which they believed could contribute to a more transparent and participatory regional

⁹ See EU Trade Commissioner Karel de Gucht in The Jakarta Post, 7 May 2011 and Press Release “The EU-Indonesia Partnership and Cooperation Agreements enters into force,” 1 May 2014, available at: http://eeas.europa.eu/statements/docs/2014/140501_01_en.pdf, (accessed 31 October 2014).

¹⁰ Cases in point were the agreements with Vietnam and Cambodia (Börzel & Risse 2004: 18).

¹¹ “EP Election Observation Missions,” available at: http://www.europarl.europa.eu/intcoop/election_observation/missions19992004_en.htm, http://www.europarl.europa.eu/intcoop/election_observation/missions20042009_en.htm, http://www.europarl.europa.eu/intcoop/election_observation/missions20092014_en.htm, (accessed 15 June 2014).

¹² European Commission, Democracy and Human Rights, available at: <http://www.eidhr.eu/highlights>, (accessed 28 November 2014).

¹³ See also The ASEAN Inter-Parliamentary Assembly (AIPA), 32nd General Assembly, Speech by the Head of the European Parliament Observer Delegation, Mr. Werner Langen, MEP, Chairman of the European Parliament’s Delegation for Relations with ASEAN Countries, available at: <http://www.aipasecretariat.org/wp-content/uploads/2011/10/Statement-of-EU.pdf>, (accessed 24 September 2013).

¹⁴ See European Parliament resolution of 15 January 2014 on the future of EU-ASEAN relations, available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2014-0022+0+DOC+XML+V0//EN>, (accessed 5 October 2014).

governance. Cases in point are German projects to promote AIPA reforms or to support former ASEAN Secretary General Surin Pitsuwan's project of developing a "Networked ASEAN Secretariat."¹⁵

In the 1990s, in the heyday of the Asian value thesis, comparing ASEAN with the EU or looking for lessons from European integration were anathema in Southeast Asia.¹⁶ At the time, ASEAN politicians and scholars alike were fond of highlighting ASEAN's uniqueness as a regional organization. Hence, it was tantamount to a complete about-turn when in the ensuing post-crisis reform debate the very same politicians and scholars increasingly looked to Brussels as a source of inspiration. Much of the reform debate in the 2000s made reference to the EU, with many observers insinuating that ASEAN should become closer to the EU (Jetschke 2009). Inherent in this debate were increasingly vocal calls to transform ASEAN into a more people-oriented organization. Such calls were primarily aired by the Indonesian government which from 2004 onward, under the Yudhoyono presidency, made democracy promotion a major theme of its foreign policy (Rüländ 2014b; Acharya 2014). But civil society activists, legislators organized in the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC) or ASEAN Parliamentarians for Human Rights and the media also joined this chorus.

For many European observers, the combination of external and internal normative pressures and capacity-building measures yielded results. In their view ASEAN became more participatory in the post-crisis period. European politicians, including EP legislators, frequently celebrated ASEAN reforms, citing the ASEAN Charter as a landmark document facilitating more people-oriented regional governance, and approvingly noting the installation of a human rights mechanism, the ASEAN Intergovernmental Commission on Human Rights (AICHR), and the proclamation of an ASEAN Human Rights Declaration (AHRD).¹⁷

Localizing external and internal participatory pressures

These observations are not entirely wrong, as interactions between ASEAN officialdom and societal stakeholders indeed intensified and a flurry of institutional adjustments took place to make ASEAN more inclusive. But does this mean that ASEAN became more democratic? It does not. In a more recent publication I called what is currently happening "participation without democratization" (Rüländ 2013). What actually occurred was a localization of external liberal-cosmopolitan ideas with the effect of modernizing, re-legitimizing and reproducing the grouping's corporatist cognitive prior. Although ASEAN had to concede an increasing level of pluralization of civil society networks in the region, thus failing to force them under an ASEAN-controlled apex organization, it nevertheless succeeded in maintaining virtually all other organizational principles pertaining to state-corporatist interest representation. The association still only gives accreditation to CSOs which are on

¹⁵ See "Capacity Building für das ASEAN Secretariat," available at: <http://www.giz.de/de/weltweit/23928.html>, (accessed 4 October 2014).

¹⁶ Jörn Dosch (1997) and Anja Jetschke (2009) have persuasively shown that for much of ASEAN's existence Southeast Asian decision-makers sought inspiration from the EU and imitated the institutional design of the EU.

¹⁷ See, for instance, the European Parliament's resolution on "The Future of EU-ASEAN Relations, 15 January 2014, 2013/2148(INI)" or the visit of Stavros Lambrinidis, the European Union (EU) Special Representative for Human Rights to the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2013. See <http://aichr.org/press-release/the-asean-intergovernmental-commission-on-human-rights-meets-with-the-european-union-special-representative-for-human-rights/>, (accessed 5 October 2014).

record as explicitly supporting ASEAN policies and objectives, it still closely controls the interactions between ASEAN leaders and NGOs at the leader-civil society interface of ASEAN Summits, it merely concedes to CSOs and other non-state stakeholders very limited consultative functions and it seeks to instrumentalize these interest organizations as transmission belts for socializing ASEAN policies among the respective group's membership and the wider public. People-orientedness is very narrowly defined as crafting awareness among stakeholder groups and the wider public for ASEAN policies and thereby creating broad-based consent for ASEAN (Chandra 2007). In other words, interest policies at the regional level are thus still at the stage of "participation in implementation" and a far cry from "participation in decision-making" which would stand for a liberal-cosmopolitan concept of democracy.

While ASEAN governments upheld their promise to revise the existing corporatist guidelines for the accreditation for CSOs (Collins 2008; Rüländ 2014a), the new rules that the Committee of Permanent Representatives released after lengthy deliberations in November 2012 may have become more compatible with democratic principles in terms of terminology, but upon closer scrutiny it becomes evident that they retained all the state-corporatist traits that were characteristic of the guidelines published in 1986 and 2006. As a result ASEAN has accredited only fifty-two CSOs,¹⁸ the overwhelming majority of which are absolutely socially irrelevant. ASEAN has thus successfully localized external and internal democratization pressures through framing them in a way that makes them palatable for conservative elites and through processes of ideational grafting and pruning, making seemingly liberal participatory ideas compatible with local traditions of state-corporatist forms of interest representation.

Although external and, to a greater extent, internal pressures were much weaker than in the case of civil society involvement, the parliament has also undergone token reforms which, however, changed virtually nothing in its operations. In 2007, at its thirtieth Annual Assembly, the then ASEAN Inter-parliamentary Organization (AIPO) decided to rename the forum the ASEAN Inter-parliamentary Assembly (AIPA).¹⁹ Especially for those familiar with the literature on transnational parliamentary assemblies (TPAs), the renaming misleadingly suggests a strengthening of the parliamentary body's functions.²⁰ But nothing in that direction happened. AIPA is still a merely consultative body without representative, oversight or legislative functions. AIPA remains a highly affirmative body which seeks to persuade fellow legislators at home to support ASEAN policies. A content analysis of legislators' speeches at AIPA General Assemblies suggests that the spirit of organicism is still ubiquitous in AIPA. Terms like unity, harmony and consensus still abound in such speeches and suggest that these thoughts are also deeply rooted in the minds of the region's legislators (Rüländ 2013; Rüländ & Bechle 2014).

How deeply ingrained organicism is in the region's political culture can be further illustrated by the case of Indonesia. While the institutional vestiges of corporatism have largely disappeared after the collapse of President Suharto's authoritarian New Order regime in 1998, the tendency to form grand coalitions as epitomized in national unity

¹⁸ See "Register of Accredited Civil Society Organizations (CSOs)," available at: <http://www.asean.org/images/2013/asean/AccreditedCivilSocietyOrganisationstoASEANasof6Oct2014.pdf>, (accessed 10 October 2014).

¹⁹ See "The Transformation and Renaming of the ASEAN Inter-Parliamentary Organisation (AIPO) to the ASEAN Inter-Parliamentary Assembly (AIPA)," available at: <http://www.aipasecretariat.org/about/the-renaming-of-aipo-to-aipa/>, (accessed 8 October 2014).

²⁰ Kraft-Kasack, for instance, distinguished three types of transparliamentary assemblies: conferences, assemblies and parliaments (Kraft-Kasack 2008).

cabinets (Slater 2004),²¹ political debates couched in the language of familism (Ziv 2001), the retention of consensual decision-making in parliament, the concomitant aversion to majority voting and the still widespread reference to the *musyawarah* culture, all suggest that organicist ideas are still prominent in Indonesia.²² The recent abolition of direct local elections, a political practice denounced as “Un-Indonesian” by its main opponent, defeated presidential candidate Prabowo Subianto, is also part and parcel of the still prevalent organicist thought.²³ It is thus also no surprise that Indonesian President Yudhoyono, who untiringly projected Indonesia’s new democratic image into the regional and global international forums, used a rather ambiguous democracy concept at the Bali Democracy Forum (BDF) that was polyvalent enough to make it appealing to liberal democrats, NGO activists with their grass roots-oriented plebiscitary notions of a socially conscious democracy and to conservative adherents of organicist and corporatist state-society relations.

Technical capacity building

The fact that ASEAN has successfully localized external and internal pressures for institutional change suggests that European capacity building for promoting a more people-oriented, more democratic process of regional governance has not achieved its objectives. The rhetoric may have changed, but state-society relationships and interactions with non-state foreign policy stakeholders did not markedly alter in substance at the ASEAN level.

In an obvious attempt to overcome the misunderstandings of the EU’s early democracy promotion policies during the 1990s, and acknowledging that wholesale transformation of ASEAN’s regional governance practices is bound to fail, in the 2000s the European Commission re-framed its democracy agenda by conceding that

“a country’s political institutions and practices are often shaped by its history, culture, social and economic factors. Democratization is not a linear process that moves from an authoritarian to a democratic regime. It is a multi-faceted, multi-disciplinary process that moves back and forth, where some institutions are more developed than others” (Wang 2012: 11).²⁴

This is a statement that could also have been formulated by an ASEAN government representative. But more importantly, at a theoretical level, it illustrates that democracy promotion may also produce unintended adverse effects, forcing the norm entrepreneur to frame the promoted norms in a way that makes them compatible with the norms championed by the norm recipient, thereby inadvertently strengthening the latter’s cognitive prior. It stands for a diffusion process where the norm entrepreneur and not the norm recipient is the localizer (Rüländ 2014b: 178). Although the EP publicly stated the idea of multiple forms of democracy (Wang 2012),²⁵ it *de facto* continued to promote a liberal-

²¹ This includes the National Unity Cabinet of President Abdurrahman Wahid, the Rainbow Cabinet of President Megawati Sukarnoputri and the United Indonesia Cabinets of President Susilo Bambang Yudhoyono.

²² One of the most prominent findings of student research on “Cooperation Cultures in Indonesia” organized by the University of Freiburg in cooperation with lecturers and students from the Gadjah Mada University in Yogyakarta and Hassanuddin University of Makassar in September 2014 was the strong prevalence of the *musyawarah* and *mufakat* principles in many of the studied societal organizations. *Musyawarah-mufakat* denotes Javanese village processes of deliberation and consensual decision-making.

²³ On the Indonesian parliament’s decision to abolish direct local elections, see *The Jakarta Globe*, 26 September 2014.

²⁴ European Commission (2008), Annex B. For a similar, very recent statement, see the European Union’s *High Representative for Foreign Affairs and Security Policy, Catherine Ashton*, in *The Jakarta Post*, 26 April 2012.

²⁵ European Parliament (2009): “Resolution on Democracy Building in the EU’s External Relations [P7_TA (2009)0056], Strasbourg,” available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=->

cosmopolitan transformation of ASEAN and ASEAN member countries, as the repeated references of the EP to “parliamentary democracy” suggest. By contrast, the Commission drew lessons from its largely unsuccessful democracy promotion measures and, to a much greater extent than in the past, embarked on more subtle, indirect measures of democracy promotion: capacity-building measures at a technical level, possibly in the hope of promoting its normative agenda through the backdoor. “Technical assistance,” writes Maier-Knapp, “is embedded within specific normative contexts and, therefore, it allows an implicit projection of norms” (Maier-Knapp 2014: 227).

Capacity building at a technical level began with the ASEAN-EU Programme for Regional Integration Support I (APRIS I) cooperation project (2003-2006). APRIS I, a project package worth some 4 million euros, included capacity-building measures in the fields of customs reform and modernization, studies on the elimination of non-trade barriers, the upgrading of the statistics unit in the ASEAN Secretariat, the funding of outreach programs to explain market opening and investment measures to the private sector in the region and the training of Secretariat staff related to regional economic integration (Martin 2009: 85).

The subsequent APRIS II (2007-2010) program continued these largely technical capacity-building measures, increasing European funding to 7.2 million euros. Capacity building focused on support measures for the implementation of the ASEAN Economic Community, scheduled to be completed by 2015. Unsurprisingly, economic objectives were central to APRIS II. For instance, one important EU measure was designed to help ASEAN achieve common regional standards on four priority sectors agreed under the Trans Regional EU-ASEAN Trade Initiative (TREATI) including agri-food, fisheries, electronics, cosmetics and wood products.²⁶ Other areas of EU support included improving customs clearance and the establishment of a regional transit regime, the improvement of ASEAN’s dispute settlement system, as well as developing an Action Plan for Investment to promote the acceptance of a free and open investment regime in ASEAN.²⁷

Covering the 2013-2016 period, the ASEAN Regional Integration Support (ARISE) program is the latest European capacity-building package. It consists of three components of which Component I will help ASEAN to strengthen its current institutional arrangements and overall management of the integration process. Component I supports the implementation of the ASEAN Trade in Goods Agreement and the ASEAN transport facilitation agreements, the ASEAN Economic Community public outreach and the ASEAN Economic Community monitoring system (AEC Scorecard). Component II seeks to upgrade customs integration and transport facilitation and to help remove technical barriers to trade in various sectors. Finally, Component III focuses on improving the management capacities of the ASEAN Secretariat. The overall funding volume of ARISE is 15 million euros.²⁸

These projects may have helped to upgrade ASEAN’s internal effectiveness and enhance the knowledge of the region’s less developed members in order to smooth interregional

[//EP//TEXT+TA+P7-TA-2009-0056+0+DOC+XML+V0//EN](#), (accessed 10 October 2014).

²⁶ TREATI started in 2003 with the objectives of expansion of trade and investment flows; closer cooperation in trade facilitation, trade, investment and regulatory issues; and greater understanding of issues of mutual interest. TREATI was first mentioned in the Commission’s 2003 Southeast Asia Strategy (European Commission 2003: 13-14 and annex II).

²⁷ Press release: “European Commission Provides € 7.2 million to Support ASEAN Integration Process,” Jakarta, 5 June 2007, available at: <http://www.asean.org/news/item/external-relations-european-union-press-release-european-commission-provides-72-million-to-support-asean-integration-process-jakarta-5-june-2007>, (accessed 24 September 2014).

²⁸ “ARISE, Programme Objectives”, available at: <http://arise.asean.org/about-arise/>, (accessed 11 September 2014).

negotiations such as in the field of trade, but they have hardly contributed to a more inclusive process of regional governance. A good example in this respect is German capacity building targeting AIPA which could at best strengthen AIPA's networking capacity with member parliaments and extra-regional partners, convey best practices in certain areas of parliamentary work such as budgeting, introduce new techniques for better harmonizing legislation among ASEAN member countries and create an AIPA intranet for the purpose of improving knowledge transfer within the organization.²⁹ But it has not changed anything with respect to the extremely limited parliamentary functions vested in AIPA.

Another German project supporting Surin Pitsuwan's "Networked ASEAN Secretariat" might have nurtured hopes that through the improvement of links to civil society organizations or academic partners, a step forward towards a more people-centered ASEAN could be made. However, in the end it unwittingly subscribed to ASEAN's state-corporatist concept of people-centeredness as a description of a major project component on the project homepage suggests:

*"ASEAN aspires to become a people-oriented organization and intends to strengthen its links with and outreach to the larger ASEAN Community. Networking to strengthen public support and to raise awareness of ASEAN initiatives and projects is therefore an integral function in ASEAN. This activity supports the ASEAN Secretariat's efforts to conceptualize a 'Networked ASEAN Secretariat' by improving its networks and efforts at building an ASEAN Community."*³⁰

This statement is a far cry from the demand of "empowering" non-state actors in regional governance as aired by large ASEAN-wide organized civil society advocacy networks and tallies well with ASEAN's concept of "participation in implementation." It outlines a top-down, one-way approach to interaction which regards interest and civil society groups merely as awareness raisers and transmission belts for ASEAN policies and providers of legitimacy.

Finally, capacity building entails many pitfalls which have frequently been critically aired against this widely used approach in the field of development cooperation. Much capacity building comes in the form of seminars, round tables and workshops or in exposure tours pursuing the objective of familiarizing participants with best practices.³¹ The problems haunting these program measures are a lack of local ownership and high staff turnover. Training sessions, work plans and evaluations are often carried out with only very limited local input.³² A good case in point for high staff turnover is the ASEAN Secretariat where expert staff usually work on three-year contracts; but depending on the internal dynamics in the secretariat may leave even earlier and take with them the newly acquired knowledge.³³ Best practice strategies and exposure tours often suffer from the fact that the cases highlighted for learning are located in a totally different cultural context and cannot

²⁹ "Capacity Building für das ASEAN Secretariat," available at: <http://www.giz.de/de/weltweit/23928.html>, (accessed 4 October 2014).

³⁰ InWent, Support of a "Networked ASEAN Secretariat" concept, available at: <http://gc21.inwent.org/ibt/en/modules/gc21/ws-FLEXasec/info/ibt/objective3.sxhtml>, (accessed 8 June 2010).

³¹ Typical in this respect is the envisaged work program between the EU and AICHR. See "Press Release: EU Special Representative for Human Rights Mr Stavros Lambrinidis visits Indonesia to strengthen dialogue with ASEAN," available at: http://eeas.europa.eu/delegations/indonesia/documents/press_corner/20130510_01_en.pdf, (accessed 5 October 2014).

³² A point made during the discussion of the paper in Brussels, 17 October 2014.

³³ See "Evaluation of EU Cooperation with ASEAN, Final Report," Volume 1, June 2009, p. 16-17, available at: <http://www.oecd.org/derec/ec/47377356.pdf>, (accessed 31 October 2014).

easily be translated to the political and administrative culture of the target group. In many cases, the target group is left alone to adapt the best practices to their conditions at home. This, in fact, is a recipe for localization, as the trained personnel tend to pick and choose the components of the training which they can adapt to their organization at home without jeopardizing their own career prospects. This entails selection of technical innovations as far as they may increase organizational efficiency, minus, however, their normative content. Even worse, in some cases capacity building can only take place if donors assure recipients that controversial normative issues will be bracketed. Like elsewhere, in Southeast Asia bureaucracies also tend to respond sensitively and with reprisals to those who promote reforms that may fundamentally restructure the institutional architecture and established work processes.

Conclusion

In this paper I explored EU capacity building in the field of democratizing regional governance in ASEAN. I argued that the potential of interregional capacity building is severely limited when it seeks to promote normative transformation. In the case of ASEAN, EU capacity-building measures to strengthen the participatory performance of regional governance encountered a deeply entrenched cognitive prior which enabled government elites to sustain a high degree of resistance against normative transformation. Paradoxically, and largely unbeknown to European norm entrepreneurs and analysts, this cognitive prior was itself informed by European ideas. Yet this earlier import of European values was inspired by largely anti-liberal nineteenth-century organicist thinking which paved the way for ASEAN's selectively inclusive state-controlled corporatist type of interest representation. Although the Asian Financial Crisis provided the kind of external shock which can lead to wholesale ideational transformation, even the ensuing strong external and intra-regional pressures for a more "participatory regionalism" (Acharya 2003) failed to transform the cognitive prior. At best it facilitated a process of localization which modernized, re-legitimized and hence reproduced and revitalized the cognitive prior. Yet it is the nature of localization that the normative order it creates is equivalent neither to the normative challenge nor to the orthodox ideational order. Localization thus creates a "new third" with unintended and unexpected consequences, especially for the norm entrepreneur. When the EU eventually realized that its normative capacity building was not leading to the envisaged results and, on the contrary, even exacerbated resistance against the promoted liberal-cosmopolitan norms, it changed tack and – advised by renowned Southeast Asian analysts with affinities for a more liberal order (Sukma 2009) – resorted to a technocratic type of capacity building. Yet this type of capacity building is faced with its own obstacles and limitations and is unlikely to lead to normative change through the backdoor. This has led the EU to increasingly focus its normative capacity-building measures on civil society actors. This may be a more promising way to promote participatory regional governance, but such a method must recognize that the region's civil society – like everywhere – is by no means a monolithic actor. It must take into account that in this region many civil society organizations are co-opted by the state or are themselves informed by a value order which is highly critical of liberal norms and, more than the extension of participatory rights, associate with liberal norms a socioeconomic order with market-opening effects which structurally disadvantage large segments of the population.

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