Questioning The Existence Of Asean Political Security Community In South China Sea Conflict

Renaldo Benarrivo¹, Teguh Puja Pramadya²

¹²Departement of International Relations, Jenderal Achmad Yani University
Jl. Terusan Jenderal Sudirman, Cimahi, Indonesia

e-mail: ¹renaldo.benarrivo@staff.unjani.ac.id, ²teguhpuja@gmail.com

Abstract

South China sea conflicts continue to escalate and increase the significance of the countries in Southeast Asia. This potentially have an impact on the stability of regional security systemically. Asean Political Security Community (APSC) as an important part of regional governance certainly needs to take a role. However, ASEAN member countries tend to still use their own methods, and have not optimally used the APSC as a means to increasing their bargaining position over the ongoing conflict. The use of the constructivism approach in this paper will try to explore how APSC should be able to play a more operational role and positioning itself as the only security community in the region. Qualitative research methods are used to interpret any phenomena that occur related to the involvement of Southeast Asian countries in the South China Sea conflict. This paper questioning the existence of APSC with its formality in responding various kinds of issues and the latest security dynamics in Southeast Asia, especially the South China Sea Conflict. The underlying causes for APSC's non-grounded policy direction will be part of the conclusion of this paper.

Keywords—APSC, ASEAN, South China Sea

Abstrak


Katakunci—APSC, ASEAN, Laut Cina Selatan
1. Introduction

The conflict’s escalation in the South China Sea is difficult to predict. It happens because many actors are concerned about this territorial conflict. One can see the importance of the South China Sea region for conflict-affected countries from many aspects, such as political, security, economic, to socio-cultural point of view. The contribution of each country as the actor has made the South China Sea conflict challenging to get a complete resolution. The complexity of the conflict has something to do with the involvement of non-state actors who also need to be taken into account.

The littoral states with a particular interest in these natural resources are Indonesia, Vietnam, The Philippines, China, Taiwan, Brunei, and Malaysia, while several international companies from countries such as the US, UK, Canada, India, Russia, and Australia are also involved in commercial activities (Rustandi, 2016). If one has to group these actors more precisely, then there are at least three major groups. The first group is East Asia countries, with China acting as the main actor, the second group is countries in Southeast Asia with relatively equal power, and the last group is the presence of multinational corporations in the variety of the actors who involved in the South China Sea conflict.

Since June 2016, there are three significant events that have affected the dynamics of the South China Sea territorial disputes: the arbitral ruling on 12 July under Annex VII of UNCLOS, the inauguration of President Rodrigo Duterte just 12 days earlier, and the confirmation of Donald Trump as the 45th President of the US on 20 January 2017 (Roberts, 2017). The series of events for a moment sparked the involvement of conflicting actors, where the relationship between the Philippines and China tended to heat up. ASEAN, as the regional organization, does not expect this to happen because ASEAN is still working and trying to strengthen the integration of the region; these efforts need stable security condition. In efforts to maintaining the security of the region, ASEAN has already mandated to APSC (ASEAN Political-Security Community) to become the medium for this situation. This paper brings up an essential and relevant question about the existence of APSC in this context. This paper also will observe the significance and the position of APSC in overcoming the South China Sea conflict.

Based on the explanation at the beginning of this paper, the question is: how does the APSC response the escalation of the South China Sea conflict, which over time tends to affect the security stability of the Southeast Asia region potentially? The answer might be APSC is currently still focused on strengthening the legal instruments within the APSC itself, which has not been able to provide a strategic response to the constellation of regional security. The development of ASEAN integration in the context of politics and security only happened on legal formality. This fact has led some countries in Southeast Asia to directly involved in the conflict with their acts.

One of the countries that act quite aggressive is the Philippines. It becomes natural because the Philippines islands are at the center of current maritime disputes in the South China Sea (Rosen, 2014). Institutionally, APSC is a community equipped with the ability to respond to regional security constellations in the Southeast Asia region. ASEAN managed to advance its
cooperation on maritime security, despite maritime boundaries disputes among its members (Son, 2014). The background of ASEAN integration is quite complicated; it is why the process of regional integration and cooperation, including those related to foreign policy in the field of politics and security, will find many obstacles.

This paper is structured in a way to explain the phenomenon and confirm the hypothesis so that the analysis construction will consist of several substantive parts. This paper begins with a general overview of the theme raised by indicating the APSC’s urgency and relevance in the South China Sea context. Research questions that are supplemented by hypotheses will lead this paper to find a sharp conclusion. As the main instrument in analyzing this phenomenon, the authors will make use of the theory of constructivism to provide a fundamental understanding of the issues, actors, and patterns of relationships contained in this conflict. The analysis section will explain three things: the first is the existence of APSC in the South China Sea context. The second is about how countries in Southeast Asia do their actions in response to the constellation of security that occurred in the region. The last is the explanation related to what ASEAN has as part of opportunities that in playing an essential role in resolving conflicts in the South China Sea.

This analysis also considers some of the historical context that relevant. In the end, this paper obtained a conclusion, which became a confirmation of the hypothesis in the beginning.

2. Literature Review and Analytical Framework

The approach used in this paper is Constructivism. The authors choose Constructivism approach as a way to respond the contemporary global political complexity that can be no longer explained by a conservative approach. Constructivism can accommodate the phenomenon in the present study from some critical aspects such as issues, actors, and relationship patterns that take place in international relations studies. This approach is also a contemporary approach that is very relevant in explaining the transformation of a system (Fierke, 2007).

This paper will discuss the response of APSC to the dynamic change of the strategic environment in the region, which is relatively homogeneous if one view from the perspective of Constructivism. By using Constructivism approach, it will capture every single transformation that occurs in the context of international relations at the regional level. Transformation in term of Constructivism consists of ideas that contemporary global political constellation can lead to a transformation from conflict to cooperation or even the reverse, transformation from peace to war (Fierke 2007). The emphasized dimension in Constructivism is related to norms, rules, and languages (Fierke, 2007). The approach is certainly very appropriate if contextualized with Southeast Asia, where the region has been in contact with the existence of ASEAN and its legal tools and cultural cohesion, including the language (more or less).

Onuf (1989) stated that this international political reality is “a world of our making.” So the analysis of the process of interaction among the actors becomes very important. After the interaction between countries in responding to the South China Sea, In the end, the interaction will naturally produce a reality described by the interaction among the actors. The reality
is multidimensional, which will get an in-depth analysis in this paper (Fierke, 2007). APSC is assumed to be a platform where ASEAN member countries interact formally. Therefore, it is appropriate that from the APSC point of view, there is a possibility to get a complete description of the attitude from the countries in the Southeast Asia region on the issue of the South China Sea. The result of this interaction will give APSC information in responding to the dynamic of strategic environmental issue regarding Southeast Asia security.

3. Methods

The research method used is qualitative, with the type of descriptive research that aims to describe, record, analyze, and interpret the conditions that currently occur or exist. This research is conducted and allocated in order to obtain relevant data and sources of information. The key instrument in qualitative research methods is the researcher itself (Creswell, 2010). Data collection is done by two techniques, namely primary data collection and secondary data collection. The primary data collection technique is done by qualitative interviews, while the secondary data collection technique is done by collecting qualitative documents. The data analysis technique is done inductively through data collection, data display, and taking conclusions and verification (Miles & Huberman 1994).

The data testing technique in this study was carried out by means of stimulating the data sources, implementing checking and inviting an auditor.

4. Results and Discussion

4.1 APSC and the South China Sea Conflict

In several meetings as well as other occasions, the issue of the South China Sea already becomes a concern for the APSC. It is natural because the primary purpose of the establishment of APSC is to maintain the stability of South East Asia's security in order to expand the Southeast Asia integration. Territorial disputes that occurred in the South China Sea has been in the form of the real threat that is potentially affecting the security stability of the region. Indeed, not all countries in the Southeast Asia region are involved with this conflict, but within the framework of the Southeast Asia integration, this regional security issue is not impossible to be a severe threat to the national security of each member countries.

The goal of APSC is ambitious; nothing in ASEAN’s history or organizational ethos would indicate such a lofty objective is remotely achievable in this aspirational timeframe (Klein, 2014). It led the APSC establishment to very high expectation. The formation of APSC depends on Southeast Asia integration background and also the other technical things, although APSC will have challenges and obstacles to implement all the agreement in the paper (legal formality) so far.

However, APSC seeks to accommodate the threat of regional security; in this case, the South China Sea disputes and interpret it into some of the official form documents (legal formality) that already released. It indicates that there has been an agreement in facing a threat from ASEAN member countries. In Constructivism, this effort has confirmed the realization of ideas that there is a common intention among ASEAN member countries. However, APSC has not reached the stage that can give an operational impact yet. However, at least this effort is sufficient to be a starting
point to becoming a more beneficial APSC (community) for all ASEAN member countries.

The South China Sea disputes hold essential lessons for ASEAN’s future regarding the approach to conflict management. With the resolution of the Cambodia conflict in 1991, some have considered it as the “next Cambodia” for ASEAN. The South China Sea is also mentioned repeatedly in some of the document that released; this indicates that the South China Sea disputes have become a priority of the APSC, although its progressivity is sometimes progressing too slowly. For the next 20 years, the South China Sea disputes will probably remain the ‘worst-case’ threat to peace and security in the Southeast Asia region, and possibly the most severe challenge to ASEAN’s regional conflict management role (Acharya, 2011).

ASEAN focus on the South China Sea issues in the APSC Blueprint, it contains the form of operationalization regarding the efforts to maintain regional security stability of Southeast Asia. The main point of the ASEAN focus on the South China Sea issues has been to ensure full implementation of the DoC for peace and stability in the South China Sea. The Blueprint also mentions concrete steps that must be implemented by APSC in order to provide a strategic response to the South China Sea issues. The forms of operational actions are as follows.

It is continuing ASEAN’s current practice of close consultation among member countries to achieve full implementation of the DoC. Exploring and undertaking cooperative activities identified in the DoC and eventually exploring other co-operative measures on the basis of close consultation among the member countries, and carrying out on a regular basis the process of implementation overview regarding the DoC and work towards the adoption of a regional CoC (Code of Conduct) in the South China Sea (ASEAN, 2009).

Implementation of DoC at this time indeed not easy. It happens because each party involved in the DoC is now transforming and is not likely to be exposed to a new significance related to their national interests. If one also pays attention to the development of a global political constellation that interferes with the disputes that occur in the South China Sea, which in essence, is between China and some countries in Southeast Asia. The process of specific building measures among countries in the Southeast Asia region now runs very well. It supports many cooperation frameworks formed in the region. The implications are also on the relationship among the Southeast Asia countries are getting warmer with China. Although the region of Southeast Asia tends to be stable, behind it all, there is a kind of great potential conflict if it did not resolve substantively.

The integration of politics and security in ASEAN is also tricky if considering the domestic conditions experienced by countries in Southeast Asia. There are still internal conflicts within the country and sometimes territorial conflicts that occur between Southeast Asia countries. It is also another factor that causes agreed on Blueprints upon at first to be challenging to implement correctly. In addition to DoC, other documents that can also be the basis of conflict resolution and also most important in the South China Sea is the CoC. However, the implementation of CoC also has not looked as expected in the beginning. The main problem is the incomplete perfection of ASEAN integration, especially in the field of politics and security. It is necessary for
creating a strategic move that brings universal interests at the regional level. Other than that this strategic step also needs to consider the constellation that occurred both in the field of politics and field of security in order to be by the needs of existing conflict resolution.

4.2 Particular Responses of ASEAN Member Countries

Although currently, APSC has been established and formally working to improve its capabilities, it does not necessarily make ASEAN member countries use this mechanism to solving regional security matters. One can see from the individual actions in responding to the phenomenon that happens in the regional security constellation. APSC has not got many appreciations by the Southeast Asia countries who involved in the South China Sea dispute to make some concerted effort within the framework of the APSC. It can be analyzed from Constructivism point of view, that each country has its interest which in the end constructing the whole condition of the region. Of course, this is not a good sign for the progress of ASEAN integration in the field of politics and security for the future.

The history of the conflicting maritime claims in the South China Sea, focussing mainly on the recent disputes between China and Vietnam/Philippines (Hong, 2013). These two countries are actively responding to the expansionary actions that were mainly undertaken by China in the South China Sea region. Vietnam and Philippines are steadily using their way without placing the ASEAN, particularly the APSC as the main concession in responding to the disputes in the South China Sea. It is confirming enough that APSC has not been able to accommodate perfectly the foreign policy activities implementation of ASEAN member countries. However, that does not mean ASEAN particularly APSC not give effect at all; its existence still gives effect even with very low significance.

For Vietnam, the relationship with China is the most important relationship and requires a careful selection of policies (Shoji, 2012). The historical background between Vietnam and China affects the effectiveness of foreign policy, which is manifestly related to the South China Sea dispute. Vietnam is not too dangerous to give its resistance to China. Indeed, in the name of state sovereignty and national interest does not mean Vietnam is acting very soft and without effort in fighting for its jurisdiction right in the South China Sea.

Vietnam can be said to use a pretty smart strategy and pay attention to the interaction between actors that occur in the region (constructivism) as an opportunity that one can utilize in implementing their underlying interests. Vietnam uses two patterns of engagement diplomacy (direct and indirect) that also do not overwhelm the APSC but still tends to take partial action. Thuy (2016) explained that regarding direct engagement, Vietnam has sought to encourage the exchange of high-level visits with China. Regarding indirect engagement, Vietnam has sought to work with other ASEAN members to engage China collectively in multilateral discussions of the South China Sea within the framework of ASEAN–China dialogue, and in DoC implementation anticipating a new CoC.

Now, legal and policy attention is focused on sovereignty disputes between the Philippines and principally China in four areas: Scarborough Shoal; Second Thomas Shoal (the site of a beached former US Navy LST); Reed Bank (or Reed Tablemount); and a variety of features in the Spratly island chain, in
which the contestants also include Vietnam and Taiwan (Rosen, 2014). The Philippines tend to be more constructive compared to Vietnam. By taking into account the legal efforts of various historical facts. This effort is made by also considering the estimated support that will be given by the international based on the foundation of foreign policy which has been awake with Philippines friendly countries.

On 22 January 2013, the Philippines initiated arbitration proceedings with the Permanent Court of Arbitration (PCA) in The Hague, Netherlands, to clarify its conflicting claims with China in the South China Sea. Over the next two years, the five judges assigned to this case, Judge Thomas A. Mensah of Ghana (President), Judge Jean-Pierre Cot (France), Judge Stanislaw Pawlak (Poland), Professor Alfred Soons of the Netherlands, and Judge Rüdiger Wolfrum of Germany, deliberated on Philippines 15 submissions (ASEAN Focus, 2016). The Philippines do not seem to get the perfect results from attempting via this legal path. Because China tends to be a country that does not comply with the recommendations of international law that causes this effort is not necessarily ended the dispute in the South China Sea. The construction of the Philippines foreign policy has indeed become overseas of foreign policy. It happens because of the influence of their significant leaders from the period of Ferdinand Marcos to Rodrigo Duterte.

From the brief explanation above, one can see that there are some similarities or some differences from the strategic steps taken by both Vietnam and the Philippines in responding to the dispute in the South China Sea. Vietnam tends to use a normative but targeted diplomacy strategy. Vietnam takes a strategic approach with China, even though the results are not optimal because of the problematic debt of the past for the South China Sea.

However, to compensate for the psychological barriers, Vietnam is also benefiting ASEAN within the framework of APSC to become an alternative channel capable of articulating Vietnam's interests better. The Philippines tend to be more aggressive by using legal channels. However, this only has an instant impact without providing sustainable progressivity. Philippines is even less likely to be its presence in ASEAN as it increases its bargaining position in the region, so it has a higher intimidating power against China. This effort is highly individualistic and proven the results are also not too significant. The example above, about Vietnam and Philippines confirming that APSC cannot give a strategic response, regarding this case, so that is why happen the particular responses between ASEAN member countries who involved.

4.3 Increase Bargaining Position through APSC

The aims and purposes of ASEAN, when it was in formulated in 1967, were about cooperation in the economic, social, cultural, technical, educational and other fields, and in the promotion of regional peace and stability through abiding respect for justice and the rule of law and adherence to the principles of the UN Charter (Rustandi, 2016). Southeast Asia relatively is a stable region in terms of security, because Southeast Asia has a collective identity as one of the vital instruments to build sustainable integration. This stability does not mean that the region is free from potential conflicts that occur both intra-state or inter-state. With the escalation taking place in the South
China Sea dispute, it is inevitable that this will be one of the most stringent tests for Southeast Asia’s integration, particularly in the field of politics and security. This test is further compounded by the "moral burden" when ASEAN has stepped forward with the establishment of APSC.

ASEAN actually has a unique value and tends to be the result of social construction that occurred in Southeast Asia, and is also a result of capturing the interaction patterns among ASEAN member countries. The ASEAN Way of security cooperation based on principles of sovereignty, non-intervention, peaceful resolution of conflict, and consultation and consensus decision-making has maintained intra-ASEAN harmony since the grouping’s formation in 1967.

It has also enabled ASEAN to play a central role in regional integration by successfully engaging major external powers in an overlapping regional network of ASEAN led organizations such as the ASEAN Regional Forum, East Asia Summit and ASEAN Defence Ministers Meeting Plus (Heng, 2014). However, unfortunately, ASEAN Way is much criticized both by academics and practitioners because the implementation is not visible enough. ASEAN Way is considered only as a motto that cannot be transformed into a more appropriate form.

So, is there a lesson to be learned from the failure of the Vietnam and Philippines strategies in dealing with China? As well as whether ASEAN, in this case, APSC can be the main instrument in generating a resolution? The lesson is that a country needs to be more sensitive to the strategic environment, especially when it comes to policies concerning political and security issues. Vietnam tends a better sensitivity than the Philippines in this case. ASEAN with various legal instruments that have been created been equipped with the ability to become one of the guards for the regional security stability. With the establishment of APSC is a sign that ASEAN is experiencing significant progressivity about regional political and security integration.

The main thing that becomes a problem is how countries in Southeast Asia want to initiate and build an accommodating interaction between ASEAN member countries by broadcasting on the ASEAN Way. Even though ASEAN also has much weakness. ASEAN’s bargaining position now is still strongly influenced by contemporary global political constellation. It is reasonable because the position of ASEAN which still cannot compete internationally with another developed region, especially in the field of politics, security, economic, and socio-culture. Even if talking about integration, ASEAN certainly still far from European Union achievement, for instance. However, the interaction between ASEAN member countries primarily after APSC was formed, showing a positive trend with the multilateral meeting held.

Bargaining position is a crucial factor. The bargaining position will determine the foreign policies performance of a country. Bargaining position can be determined by two things that are internal and also external. Especially for the external is divided into two things, namely the relationship of a country with another country with a higher power, or the strategic environment situation where the country is located. ASEAN does not remain silent in terms of accommodating the interests of its member countries. Several strategic meetings are held in order to
facilitate the national interests of its member countries.

On 6 August 2017 in Manila, the foreign ministers of ASEAN and China endorsed the framework on the CoC for the South China Sea. The ASEAN-China Senior Officials Meeting had earlier approved the framework on the DoC of Parties in the South China Sea implementation (SOM-DOC) in Guiyang, China, on 19 May 2017 (Storey, 2017). This real effort is needed. It is not merely a ceremonial activity, but it should be done cyclically with the progress of achieving measurable targets from time to time. ASEAN member countries must be able to articulate the spirit and rules of the law in ASEAN into a more operational and significant form, not only for the national interest but more importantly for the regional security stability.

Despite its shortcomings, ASEAN and China’s endorsement of the framework is a step forward in the two-decade-long conflict management process for the South China Sea (Storey 2017). Now the dispute resolution in the South China Sea has continued to show in a positive direction. One must admit that there is absolutely no significant acceleration of this conflict resolution. With the increasing of ASEAN's competence, this must be utilized by whom ASEAN member countries are concerned in the South China Sea to take strategic advantage from the establishment and integration in Southeast Asia so far.

5. Conclusions and Recommendations

Integration in the field of politics and security in Southeast Asia has been in significant progress. Since its inception, ASEAN has never lost its spirit as a form of regionalism that focuses on maintaining the stability of regional security in various fields and from various threats. It is supported by the intensity of interaction between countries in Southeast Asia that increase significantly over time and construct the integration progress like Constructivism’s point of view. It is a positive sign for ASEAN as an institution. However, the external influence of the region is also still quite active with some significant conflicts such as those occurring in the South China Sea.

Typically, ASEAN should be able to act responsively to the strategic environment constellation that occurred in the region. It can be shown as a reflection of the existing legal instruments within the body of ASEAN institutions. Moreover, with the existence of APSC at this time, then ASEAN should be more sensitive to whatever happened in the region. However, one problem that ASEAN in particular APSC faces is, they still need to make improvements to the legal framework so that it can accommodate the interests of its member states universally without forgetting the values contained in the ASEAN Way.

Three underlying reasons confirm the hypothesis in this paper: since established, ASEAN focus in using a right formality approach that seeks to cover the phenomenon that occurs in the region without considering some facts and reality and also a specific priority to a particular issue. This argument is reasonable because the background of Southeast Asia integration is different from what happened in European integration, for instance. The starting point of Southeast Asia depends on ideas, not reality.

Secondly, ASEAN's “lack of focus” makes ASEAN member countries involved in the South China Sea disputes, choosing their way without placing ASEAN as the primary
consideration. It is, of course, a part of the integration process that probably can be resolved naturally, depend on the mechanism inside the ASEAN itself regarding decision-making process in responding to several contemporary issues including the South China Sea dispute.

Third, even up to the latest meeting update (all meeting levels), the discussion of ASEAN is still around the aspect of the law without ever touching the more strategic aspects. Then it is appropriate if the answer to the research question in this paper is that the ASEAN response, in this case, APSC is not so significant. It is also apparent from the action that ASEAN takes, in this case, APSC still needs more time to become an institution with perfect competences to accommodate the interests of its member countries that sounds quite utopian if considering the situations occurring in ASEAN at the moment.

As a reflection and a recommendation, the authors encourage all real instruments in ASEAN and specifically APSC to be strengthened and also need to have all the support with assistance from all parties. Every stakeholder must contribute equally. The success of this conflict resolution cannot be carried out by only one country; nor can one organization do it. ASEAN has done what they can do through APSC. However, every interested country needs also to show a firm and clear attitude so that this problem does not then drag on and make spill-over effects on other vital issues.

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References

**Book Reference:**

ASEAN Political-Security Community, ASEAN Secretariat § Shaping and Sharing of Norms (2009).

**Book Chapter:**


**Journal:**


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**Online Source:**

Acharya%20Paper%20Revised%20Draft.pdf


https://ojs.unikom.ac.id/index.php/gps