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Militarising Counterterrorism in Southeast Asia

Incompatibilities and Implications for ASEAN

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Abstract

The occupation of the city of Marawi in the southern Philippines and a series of terrorist attacks in Indonesia which followed it demonstrate that terrorism is a persistent and enduring threat to Southeast Asian security, despite the governments' concerted efforts on countering terrorism since 9/11 and the Bali Bombings in 2002 and 2005. Security specialists and defence officials in the region believe that ASEAN has to intensify its cooperation to address the challenge of terrorism through the use of military forces. This article, however, claims that the militarised counterterrorism has no institutional, normative and practical basis within ASEAN's main security structure, the APSC. This is followed by dual implications for the broader security agendas, affecting democratisation and sharpening mistrust among ASEAN states which challenges ASEAN centrality in regional security affairs.

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Militarising Counterterrorism in Southeast Asia

Incompatibilities and Implications for ASEAN

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Abstract

The occupation of the city of Marawi in the southern Philippines and a series of terrorist attacks in Indonesia which followed it demonstrate that terrorism is a persistent and enduring threat to Southeast Asian security, despite the governments' concerted efforts on countering terrorism since 9/11 and the Bali Bombings in 2002 and 2005. Security specialists and defence officials in the region believe that ASEAN has to intensify its cooperation to address the challenge of terrorism through the use of military forces. This article, however, claims that the militarised counterterrorism has no institutional, normative and practical basis within ASEAN's main security structure, the APSC. This is followed by dual implications for the broader security agendas, affecting democratisation and sharpening mistrust among ASEAN states which challenges ASEAN centrality in regional security affairs.

Keywords

ASEAN Political and Security Community – centrality – counterterrorism – the military – regional security

1 Introduction

Terrorism is an enduring and persistent threat to Southeast Asian security.¹ The occupation of the city of Marawi in the southern Philippines by pro-

1 See for example David M. Jones and Mike L. Smith, 'From konfrontasi to disintegrasi; ASEAN and the rise of Islamism in Southeast Asia', *Studies in Conflict and Terrorism* 25, 6 (2002): 343–356; Kumar Ramakrishna and See Seng Tan, eds, *After Bali: The Threat of Terrorism in*

Islamic State (IS) groups between May and October 2017 and the series of attacks on mobile police and churches in Indonesia a year later showcase the capacity of transnational terrorist cells to reorganise and reinforce their movements, despite the fall of IS in Mosul and Raqqa.² Security specialists consider Marawi a case that could generate momentum for broadening the approaches to fighting terror.³ The Association of Southeast Asian Nations (ASEAN) was urged to play a more effective and solid role in both combating and preventing transnational terrorism, rather than only serving as a creator and socialiser of intergovernmental norms.⁴ Moreover, prior to the Marawi siege, member states' responses to terrorism had varied, from the law enforcement mechanisms upheld by Brunei, Cambodia, Indonesia and Singapore to the coercive and militaristic means applied by Malaysia and Thailand.⁵ Domestic political considerations, not common objectives, led individual ASEAN states to undertake different antiterror strategies.⁶

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- Southeast Asia* (Singapore: World Scientific, 2003); Bilveer Singh, *The Talibanization of Southeast Asia; Losing the War on Terror to Islamist Extremists* (Westport: Praeger Security International, 2007); Peter Chalk, Angel Rabasa, William Rosenau and Leanne Piggott, *The Evolving Terrorist Threat to Southeast Asia: A Net Assessment* (Pittsburgh: The RAND Corporation, 2009); Arabinda Acharya, *Whither Southeast Asia Terrorism?* (London: Imperial College Press, 2015); Paul J. Smith, ed., *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability* (Abingdon, UK: Routledge, 2015); Pinjie Sun, 'Uyghur militant activity in Southeast Asia and its security implication', in *Securing the Belt and Road Initiative*, eds Alessandro Arduino and Xue Gong (Singapore: Palgrave, 2018), 215–233; Kirsten E. Schulze and Joseph C. Liow, 'Making jihadis, waging jihad: transnational and local dimensions of the ISIS phenomenon in Indonesia and Malaysia', *Asian Security* (2018): 1–18. DOI: 10.1080/14799855.2018.1424710.
- 2 Syed H. Alkaff and Remy Mahzam, 'Islamic State after the fall of Mosul and Raqqa: impact on organisation and propaganda', *Counter Terrorist Trends and Analyses* 10, 1 (2018): 57–61.
 - 3 See for example Jasminder Singh, 'One year after Marawi: has the threat gone?' *RSIS Commentary* 083 (2018): 1–3; Joseph Franco, 'After Marawi: time for broader ASEAN approach?' *RSIS Commentary* 156 (2018): 1–3; Kumar Ramakrishna, 'The radicalization of Abu Hamdie: wider lessons for the ongoing struggle against violent extremism in post-Marawi Mindanao', *Journal of Asian Security and International Affairs* 5, 2 (2018): 111–128.
 - 4 Marguerite Barelli, 'ASEAN counter-terrorism weaknesses', *Counter Terrorist Trends and Analyses* 9, 9 (2017): 14–20; Cameron Sumpter, 'An ASEAN way to prevent violent extremism', *RSIS Commentary* 158 (2018): 3.
 - 5 Anna C. Beyer, *Counterterrorism and International Power Relations: The EU, ASEAN and Hegemonic Global Governance* (New York: Tauris Academic Studies, 2010), 109–110; See Seng Tan and Hitoshi Nasu, 'ASEAN and the development of counter-terrorism law and policy in Southeast Asia', *UNSW Law Journal* 39, 3 (2016): 1233; Andrew T.H. Tan, 'Evaluating counter-terrorism strategies in Asia', *Journal of Policing, Intelligence and Counter-Terrorism* 13, 2 (2018): 166.
 - 6 Andrew Chan, 'Security community and ASEAN: Australia, the US and ASEAN's counter-terror strategy', *Asian Survey* 48, 4 (2008): 647.

Responding to the critical situation evolving from the Marawi conflict, ASEAN's defence officials pledged to strengthen the interstate framework and take on 'hard power' instruments to avert future terrorist assaults. At a retreat in Singapore in January 2018, ASEAN's defence ministers set the greater focus on counterterrorism in the regional military collaboration, something which is unprecedented in the Association's history because ASEAN militaries were concentrated more on conducting humanitarian and disaster relief programmes. Marawi was indeed a turning point for ASEAN to pursue more robust military actions to combat terrorism. Brunei, Indonesia, Malaysia, Singapore and Thailand provided the Philippines with military facilities and assets during the crisis in Marawi. Singapore, in particular, offered its developed air force equipment, including transport aircraft, drones and urban warfare training sites, to enhance the Philippines' military capabilities.⁷ Furthermore, ASEAN held joint navy exercises with China in February 2018⁸ and the United States in August 2019⁹ to improve their collective capacity to counter maritime terrorism.

The Indonesian armed forces formed a new joint special antiterrorism unit, called Komando Operasi Khusus Gabungan/Koopsusgab, in addition to maintaining the existing semi-military Detachment 88 squad of the national police. Trilateral border patrols between Indonesia, Malaysia and the Philippines in the Sulu–Sulawesi seas have been intensified as IS affiliates, particularly the Abu Sayyaf group, have increasingly operated in these waters. In the intelligence sector, the Our Eyes initiative has been launched to facilitate regional strategic and tactical collaboration on terror prevention.¹⁰ Singapore has proposed a 3R (resilience, recovery and response) formula to guide ASEAN's resource mobilisation and collective actions against terrorism.¹¹ There has been

7 Hoang Thi Ha, 'ASEAN military response to counter terrorism', ISEAS–Yusof Ishak Institute, 12 February 2018, <https://www.iseas.edu.sg/medias/commentaries/item/7005-asean-military-response-to-counterterrorism-by-hoang-thi-ha> (accessed 21 January 2019).

8 Thanson Cheong, 'ASEAN to step up terror fight, hold naval drill with China', *Straitstimes.com*, 7 February 2018, <https://www.straitstimes.com/asia/se-asia/asean-to-step-up-terror-fight-hold-naval-drill-with-china> (accessed 21 February 2019).

9 *Thedefensepost.com*, 'US and 10 ASEAN navies begin first joint military exercises in Southeast Asia', 2 September 2019, <https://thedefensepost.com/2019/09/02/us-asean-navy-exercises-aumx/> (accessed on 11 October 2019).

10 See Seng Tan, 'Sending in the cavalry: the growing militarization of counterterrorism in Southeast Asia', *PRISM* 7, 4 (2018): 143.

11 Singapore's Ministry of Defence, 'Speech transcript by Minister for Defence Dr Ng Eng Hen at the Ministry of Defence Committee of Supply debate, 2 March 2018', https://www.mindef.gov.sg/web/portal/mindef/news-and-events/latest-releases/article-detail/2018/march/02mar18_speech1 (accessed 17 December 2018).

a trend towards more extra-judicial measures, involving the army, paramilitary and police, which have been implemented in Indonesia, Malaysia, Singapore, Thailand and the Philippines after Marawi. In many respects, this is emulating militarised counterterrorism methods which have been employed by other Asian states, including Afghanistan, India, Pakistan and China.¹²

These developments suggest that ASEAN is pursuing a militarised counterterrorism, which also sends a message of more convergent security interests and policies among the Association's governments. However, with regard to the ASEAN institutional arrangements which have mainly been founded in the ASEAN Political and Security Community (APSC), it is worthwhile to ask whether regional security cooperation can accommodate the growing use of military forces to confront the threat of terrorism. A further question concerns the implications of militarised counterterrorism for regional security agendas.

On militarising counterterrorism, there are two contending positions. On the one hand, scholars argue that the presence of armed forces units under the auspice of either regional institutions or individual governments should not necessarily and directly be linked to unfavourable consequences, such as the emergence of an authoritarian regime backed by the military and state repression of civil society. Rather, external military assistance to the terrorism-affected states can be accompanied by economic development, good governance and humanitarian aid programmes which are beneficial for the host countries.¹³ On the other hand, the intensified use of military power and strategies, especially those supported by foreign states in countering the threat of terrorism in the countries where the terrorists originate, results in counterproductive effects, increasing the risk of future terror attacks and prompting misperceptions, tensions and conflicts among the security actors involved¹⁴ while undermining both counterterrorism and counterinsurgency being undertaken.¹⁵ The developing security environment within ASEAN states has something to do with this sceptical assessment.

12 Andrew T.H. Tan, 'Counter-terrorism and counter-insurgency in Asia', in *Terrorism and Insurgency in Asia: A Contemporary Examination of Terrorist and Separatist Movements*, eds Benjamin Schreer and Andrew T.H. Tan (Abingdon, UK: Routledge, 2019), 231–245.

13 For example John Campbell, 'Is American policy toward sub-Saharan Africa increasingly militarized?' *American Foreign Policy Interests* 35, 6 (2013): 346–351; Tobias Heinrich, Carla M. Machain and Jared Oestman, 'Does counterterrorism militarize foreign aid? Evidence from sub-Saharan Africa', *Journal of Peace Research* 54, 4 (2017): 527–541.

14 Andrew Boutton, 'US foreign aid, interstate rivalry, and incentives for counterterrorism cooperation', *Journal of Peace Research* 51, 6 (2014): 741–754.

15 Michael J. Boyle, 'Do counterterrorism and counterinsurgency go together?' *International Affairs* 86, 2 (2010): 333–353.

This article argues that the increased role of military establishments in fighting transnational terrorism in Southeast Asia is incompatible with ASEAN's main security structure, the APSC. Although the APSC was created to strengthen interstate security cooperation, its institution, norms and practice provide no basis for intense military responses to terrorism. There are dual implications for the increasingly significant role of the armed forces in Southeast Asian broader security agendas: it will affect democratisation and deepen mistrust among ASEAN member states, challenging the Association's centrality in regional security affairs. The article continues in four parts. The following section presents an overview of the evolution of ASEAN's regional security approach, which leads to the Association's centrality in the Asia-Pacific security architecture. It provides an understanding of the security environment within which the APSC was founded and functions as ASEAN's counterterrorism body, governed by state-centric norms and principles. From this background, the article goes on to analyse the incompatibilities between militarised counterterrorism and the APSC. The third section looks at the implications for ASEAN's broader security agendas. The conclusion emphasises the important points put forward in this article.

2 ASEAN's Regional Security Approach: Leading to Centrality

In the five decades since its establishment on 8 August 1967, ASEAN has stood as an organisation for regional cooperation with its own unique characteristics, including ambiguities and some overlaps in several of its sectors. The five founder states, Indonesia, Malaysia, Singapore, Thailand and the Philippines, recognised that security issues composed the central agenda for the establishment of ASEAN.¹⁶ Nonetheless, the lack of usage of the term 'security', both in the formal written declaration of the establishment of ASEAN¹⁷ and in unwritten statements in multilateral diplomacy forums, especially in the first few years of ASEAN's inception,¹⁸ were deliberate. This is for a historical and strate-

16 Roger Irvine, 'The formative years of ASEAN: 1967–1975', in *Understanding ASEAN*, ed. Alison Broinowski (London: Macmillan, 1982), 8–36.

17 This can be seen in the language used by ASEAN founders to express their interest in regional cooperation. Association of Southeast Asian Nations/ASEAN, *The ASEAN Declaration (Bangkok Declaration)*, Bangkok, 8 August 1967 (Jakarta: ASEAN Secretariat, 1967).

18 For example, the establishment of ASEAN as Zone of Peace, Freedom and Neutrality which was an important step towards the heightening of the Association's engagement; Association of Southeast Asian Nations/ASEAN, *Joint Press Statement ASEAN Foreign Ministers*

gic reason. ASEAN was the first regional organisation to be formed following the failure of two previous regional institutions, the Association of Southeast Asia (ASA) and Maphilindo, which dissolved following internal rifts between member states on the issue of security as a legacy of their colonial past. In addition, at the international level, the situation surrounding the Cold War forced ASEAN to be more defensive and cautious of potential intervention from the great powers, while intra-ASEAN problems had yet to be resolved collectively.¹⁹ This historical and strategic factor then influenced ASEAN's security outlook, particularly in the 1970s and 1980s.

ASEAN developed as a regional organisation which relies on the individual capabilities of its member states and independence from external powers. The first ASEAN Summit was held in Bali in February 1976 and resulted in the establishment of two pillars of security in Southeast Asia. The first is the concept of national and regional resilience as conveyed in the Bali Concord Declaration.²⁰ This states that security in the ASEAN region is comprehensive and progressive in nature, stemming from each country's capabilities to create stability and order domestically, particularly from subversive disruptions.²¹ Domestic stability and order will reinforce regional stability and order.²² The security dimension, which connects national and regional conditions, becomes the basis for a collective identity that ties ASEAN states together.²³ The implementation of ASEAN's security concept reflects Bull's²⁴ theory regarding the importance of order in international politics, in which states shape and are shaped by their international society. A collective security agenda forms ASEAN's normative

Meeting to Issue the Declaration of Zone of Peace, Freedom and Neutrality, Kuala Lumpur, 26–27 November 1971 (Jakarta: ASEAN Secretariat, 1971).

- 19 Alice D. Ba, *(Re)Negotiating East and Southeast Asia: Region, Regionalism, and the Association of Southeast Asian Nations* (Stanford: Stanford University Press, 2009), 42.
- 20 Association of Southeast Asian Nations/ASEAN, *The Declaration of ASEAN Concord*, Bali, 24 February 1976 (Jakarta: ASEAN Secretariat, 1976).
- 21 It is comprehensive because all ASEAN members are obliged to develop a national resilience, which includes the development of various aspects of national life, often equated to comprehensive security, in which the entirety of the elements comprising a nation, such as its economy, ideology, politics, society and culture, are all in support of developing national strength from within. By 'progressive' is meant that, from the national resilience of each member state of ASEAN, working together will help create a web of regional resilience.
- 22 Michael Antolik, *ASEAN and the Diplomacy of Accommodation* (Armonk: M.E. Sharpe, 1990).
- 23 Amitav Acharya, 'Culture, security, multilateralism: the "ASEAN Way" and regional order', *Contemporary Security Policy* 19, 1 (1998): 55–84.
- 24 Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (Basingstoke: Palgrave, 2002).

interest, which also demonstrates a challenge to the dominance of Waltzian neorealism theory and praxis, especially with the Association's inward-looking orientation and priority for the non-military sector.²⁵

The second pillar is the ASEAN Treaty of Amity and Cooperation (TAC). The main point of TAC is the collective commitment of ASEAN members to establish peace and stability in Southeast Asia through a norm-based code of conduct. The fundamental principles of cooperation in ASEAN are highlighted in TAC, including compliance to international conventions contained in the United Nations Charter, respect for the sovereignty and identity of all member states as well as the principle of non-interference with regard to the internal affairs of other states, joint decision-making through the method of dialogue in order to reach a consensus, and non-violent means of resolving disputes.²⁶ With the TAC, ASEAN seeks to protect the political autonomy of each of its states, even if the issue of collective concern may require intervention. Consequentially, ASEAN becomes a model for a security arrangement which emphasises flexibility, informality and non-binding agreements. ASEAN does not possess the tools to enforce concrete security actions. It prioritises conflict prevention mechanisms, even tending towards conflict avoidance. This approach has been referred to as the ASEAN Way, which in thirty years (1967–1997) contributed positively to the economic growth and maintenance of stability in Southeast Asia.²⁷

ASEAN's regional security approach faces many challenges after the dynamics in the Asia-Pacific strategic environment and dramatic changes in the internal affairs of pioneer states due to the East Asian Financial Crisis of 1997–1998. Disruptions to national resilience impact resilience at the regional level. In addition, non-traditional security issues have risen to the surface and are quickly becoming part of a major regional concern in Southeast Asia.²⁸ Prior to 9/11, ASEAN considered terrorism as part of a larger issue of transnational crimes and subversive activities challenging the national sovereignty. As such, terrorism had to be addressed using a legal approach by national agencies with authority within national jurisdiction,²⁹ even if in certain cases some bilat-

25 Shaun Narine, 'The English School and ASEAN', *The Pacific Review* 19, 2 (2006): 199–218.

26 Association of Southeast Asian Nations/ASEAN, *Treaty of Amity and Cooperation in Southeast Asia*, Bali, 24 February 1976 (Jakarta: ASEAN Secretariat, 1976).

27 Kusuma Snitwongse, 'Thirty years of ASEAN: achievements through political cooperation', *The Pacific Review* 11, 2 (1998): 183–194.

28 David M. Jones and Mike L. Smith, 'The changing security agenda in Southeast Asia: globalization, new terror, and the delusions of regionalism', *Studies in Conflict and Terrorism* 24, 4 (2001): 271–288.

29 This was stated in the first agreement made by ASEAN regarding the Association's response

eral or multilateral arrangements existed among fellow members, specifically created to deal with transnational activities which included money laundering, human and drug trafficking, and piracy. This goes to show that ASEAN still tried to keep its resilience and adhere to the principle of non-interference in responding to cross-border criminal activities. Nevertheless, this is not to say that ASEAN viewed the issues of terrorism and transnational crime as trivial. The point is that ASEAN wished to maintain its collective commitments to securitising transnational crimes through the use of non-military means, as cross-border military interventions would violate the Association's fundamental code of conduct.³⁰ ASEAN followed its mechanism for reaching consensus in making any decisions related to efforts to combat transnational crimes. The outcomes were non-binding rules, so that every member state was able to adjust ASEAN's policies to its own domestic priorities. In fact, between 1997 and 2001, ASEAN made no significant institutional reforms or other concrete efforts which could influence the state governments' handling of transnational security issues.³¹

Following 9/11 and the Bali Bombings in October 2002, the political and security situation in ASEAN experienced a shift. The gap in the perception and interests among ASEAN state governments in securitising cross-border phenomena, especially terrorism, became more pronounced. Indonesia, as the state most affected by transnational terrorism, saw security issues in ASEAN from a progressive point of view. Jakarta was of the opinion that more intense cooperation in the security sector was required in ASEAN. The approach hitherto taken up by ASEAN was no longer fully relevant given unfolding developments in the regional and global security environments. Indonesia proposed the formation of an ASEAN security community, which was principally in line with a more adaptive and comprehensive approach to security.³² The conflict prevention and resolution aspect was stressed, as was the management of social disorder, more so than the traditional approach which prioritised conflict prevention/avoidance. Indonesia recommended the formation of regional peace-

to transnational criminal activity; Association of Southeast Asian Nations/ASEAN, *ASEAN Declaration on Transnational Crime*, Manila, 20 December 1997 (Jakarta: ASEAN Secretariat, 1997).

30 Tan and Nasu, 'ASEAN and the development of counter-terrorism law and policy', 1223.

31 Ralf Emmers, 'ASEAN and the securitization of transnational crime in Southeast Asia', *The Pacific Review* 16, 3 (2003): 419–438.

32 The academic version of the Indonesian proposal was presented by Rizal Sukma: 'The future of ASEAN: towards a security community', paper presented at the Seminar on ASEAN Cooperation: Challenges and Prospects in the Current International Situation, 3 June 2003, Permanent Mission of the Republic of Indonesia to the United Nations in New York.

keeping forces, the promotion of democracy as a value and political system shared by Southeast Asian countries, and the endorsement of non-aggression, extradition and human rights protection treaties. Causing ripples in the internal dynamics of ASEAN, Jakarta's proposal was then altered to be more flexible, as contained in the Bali Concord II, approving the three elements of the ASEAN Community: the ASEAN Economic Community (AEC), the ASEAN Security Community (ASC) and the ASEAN Sociocultural Community (ASCC).³³

Of the three elements, the ASC has been considered the most controversial and has incited intra-ASEAN debate. For example, Malaysia criticises ASC as inadequate in that it does not clarify in context whether the values and norms of the security community will be prioritised. The Indonesian proposal was also viewed by some as reflecting Westernised, especially for what seems to be a replication of Deutsch's idea of a security community, clouding ASEAN identity. Meanwhile, Singapore and Vietnam reject the recommendation of forming an ASEAN peacekeeping force. The focus of ASEAN cooperation remains on the economic development agenda, aimed at strengthening national and regional security.³⁴ The ASC Plan of Action launched at the Vientiane Summit 2004 demonstrates how ASEAN came to a compromise regarding the ASC. Issues concerning the actual peacekeeping force would remain untouched. Conflict resolution would be adjusted to the interests of the member state governments. ASEAN remained consistent in its efforts regarding conflict prevention at the regional level, while agendas such as democracy and human rights protection would be moderated in accordance to ASEAN's particularistic interpretation, essentially state-centric democracy.³⁵ Indeed, ASEAN decided to preserve its longstanding security features. Following the ratification of the ASEAN Charter (2007), the ASC was introduced as the ASEAN Political and Security Community (APSC), equipped with a blueprint for a safer Southeast Asia. The APSC, along with the AEC and ASCC, was officially launched at the Kuala Lumpur Summit in December 2015. Documents relevant to the establishment of the APSC indicate a continuity of the institutionalisation of the ASEAN Way in achieving regional security.

In the evolution of ASEAN's regional security approach, one institutional development is of note: ASEAN's role in creating an Asia-Pacific security archi-

33 Association of Southeast Asian Nations/ASEAN, *Declaration of ASEAN Concord II/Bali Concord II*, Bali, Indonesia, 7 October 2003 (Jakarta: ASEAN Secretariat, 2003).

34 Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order*, 3rd ed. (Abingdon, UK: Routledge, 2014), 228.

35 Association of Southeast Asian Nations/ASEAN, *Plan of Action ASEAN Security Community*, Vientiane, 29 November 2004 (Jakarta: ASEAN Secretariat, 2004).

ecture through the formation of multilateral forums, such as the ASEAN Regional Forum (ARF) 1995, ASEAN Plus Three (APT) 1999 and the East Asian Summit (EAS) 2005. In relation to this rise of multilateralism, the concept of ASEAN centrality and what it means for its leadership in multilateral cooperation in the Asia-Pacific has experienced some development, together with matters regarding ASEAN's role as the hub of the network of intergovernmental organisations emerging in the region.³⁶ The multilateralism that arises involves the greater powers, including the United States, China, India and Japan, in several multi-issue cooperation agendas, in which ASEAN is the leader or driver. In this way, the concept of centrality consists of interrelated elements. First, ASEAN is the core organisation directing processes of regionalism in the Asia-Pacific. Second, in relation to the first point, all discourse and concepts pertaining to the development of regional norms, rules and institutionalisation in the Asia-Pacific originates from ASEAN. Third, ASEAN serves as a model on which the development of regional cooperation frameworks in the Asian region in general are based.³⁷ What is interesting is that the concept of centrality is not supported by any material power possessed by ASEAN states, but instead is a result of a diplomatic approach to the key Asia-Pacific partners. ASEAN takes on the role of host and facilitator for events, bridging the interaction and interests of the more powerful actors.³⁸

Regarding ASEAN centrality, the founding of the APSC is of strategic value. As the first security community formed in Asia, the APSC reflects the relevance of ASEAN's response to contemporary security and political challenges. The APSC's mission is to maintain ASEAN centrality in the regional security dimensions. Thus, the APSC is charged with the responsibility to create not only blueprints and plans of action, but also new actions and orders to rise to the challenges faced by the states and societies in Southeast Asia and the Asia-Pacific.³⁹ Non-traditional security threats and challenges have a characteristic that is undeniably different from the traditional, one of the most prominent being the nature of non-traditional security problems which require a more

36 See for example Mely Caballero-Anthony, 'Understanding ASEAN's centrality: bases and prospects in an evolving regional architecture', *The Pacific Review* 27, 4 (2014): 563–584.

37 This concept is advanced by Amitav Acharya, 'The myth of ASEAN centrality?' *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 39, 2 (2017): 273–279.

38 Lee Jones, 'Still in the "driver's seat", but for how long? ASEAN's capacity for leadership in East-Asian international relations', *Journal of Current Southeast Asian Affairs* 29, 3 (2010): 95–113.

39 Amitav Acharya, 'ASEAN 2030: challenges of building a mature political and security community', *ADB Working Paper* 441 (2013): 1–27.

comprehensive method and instrument of response, including how to align the interaction and interests of state and non-state actors. For this reason, the challenge to ASEAN centrality is considered to be a complex one. ASEAN first needs to unite before asserting its centrality in handling non-traditional security issues. In responding to terrorism issues, ASEAN's cohesiveness and unity is demonstrated in the achievements of internal and external multilateral diplomacy, in which the Association plays a key role as a founder and regulator of the cooperation agenda. However, recent developments have indicated that the intensified use of military units in counterterrorism as initiated and conducted by several member states can be a challenge to the cohesion and unity of ASEAN.

3 The Incompatibilities between Militarised Counterterrorism and the APSC

Supporters of an increased role for the military in conducting counterterrorism operations in Southeast Asia, including actions that lean towards cross-border interventions, argue that armed forces are more capable than the police in preventing terrorism. This is closely related to the military sector's historical contribution to the nation-building process of several states in the region. The armies of states such as Indonesia, Malaysia, Thailand and the Philippines have extensive experience and mastery over the technology required to contend with security challenges from the activities of sub-national movements, ranging from those with a secular ideology—nationalism or communism—to religious ones. The military itself has two roles, to aid the civil government in its duties during times of either war or peace. Such is the case when Southeast Asian states are dealing with non-traditional security threats, with which the military is needed to take part effectively. The importance of this military involvement is referred to as a kind of military operation other than war (MOOTW), which is typically focused on peacekeeping, humanitarian use and disaster relief.⁴⁰ This confidence in military capabilities is heightened when disrupting groups and transnational terrorist cells are able to develop their organisational and tactical skills as well as their public diplomacy strategies

⁴⁰ Bilveer Singh, 'The emergence of an Asia-Pacific diplomacy of counter-terrorism in tackling the Islamic State threat', in *International Security in the Asia-Pacific: Transcending ASEAN towards Transnational Polycentrism*, ed. Alan Chong (Cham: Springer Nature, 2018), 289, 296.

in challenging governmental authority. Moreover, impacts on the state, which include increasing fatalities and material damage, serve as a driving factor in the case for the involvement of military power in combating terrorism.⁴¹

From the pro-military perspective, all forms of threat to the well-being of the nation that ensue from the activities of non-state actors may be considered as part of the armed forces' domain, as one of the primary elements in the security sector.⁴² In relation to this assumption, the active role of the military in the efforts to counter terrorism in Southeast Asia strengthens the view that counterinsurgency and counterterrorism are two sides of the same coin and may support one another. In other words, the most effective way to eradicate terrorist groups such as Al Qaeda and their networks is through the implementation of counterinsurgency initiatives in counterterrorism policies and measures, the basis for this reasoning being that insurgents and terrorists often join forces and cooperate to achieve their political and ideological goals. The fusion and symbiosis between insurgents and terrorists, at both the local and the global level, create accidental guerrillas. Complementing the mutual tactical fusion, adaptation of the substance of movements and long-term synchronisation of strategic calculations occur. Local and global terrorists reap the benefits of close acquaintances with insurgent groups in local societies. Insurgencies may last for a long time because they gain the support of indigenous communities. This reality forms the social and cultural basis for terrorism to take root in local people. Because of this, national governments must direct their military power, and political, economic and diplomatic resources, to win the hearts and minds of those at the grass-roots level who, during periods of armed conflict, provide shelter and logistic supply to insurgents and terrorists.⁴³ This argument is in line with historical facts which exhibit that, in Southeast Asia, threats to national security generally come from the action of insurgent and terrorist groups working in tandem.⁴⁴ Their activities are frequently related to dynamics in border areas between countries. Factors such as weak security governance,

41 Geraint Hughes, *The Military's Role in Counterterrorism: Examples and Implications for Liberal Democracies* (Carlisle: Strategic Studies Institute, US Army War College, 2011), 13–36.

42 Mely Caballero-Anthony, 'Non-traditional security challenges, regional governance, and the ASEAN Political-Security Community (APSC)', *Asia Security Initiative Policy Series Working Paper 7* (2010): 1–17.

43 One of the most persuasive accounts on the completion between insurgency and terrorism is presented by David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of the Big One* (Oxford: Oxford University Press, 2009).

44 Michael J. Boyle, ed., *Non-Western Responses to Terrorism* (Manchester: Manchester University Press, 2019). See especially Chapter 4 on the case of Malaysia and Chapter 5 on Indonesia.

cross-border cultural affiliations, socioeconomic inequality, political interests of neighbouring states and protracted territorial conflicts all combine into a singular driving force which prolongs violent sub-state movements in South-east Asia.⁴⁵

For this reason, in relation to national counterinsurgency campaigns, counterterrorism must be understood as a systemic effort, which takes time. Counterterrorist forces are tasked with severing the ties and loyalties built between insurgents, terrorists and civilians sympathetic to their causes. Efficacious local governments, as representatives of central governments, have a key role to play in this process as facilitators, as seen, for example, in the success of the operation executed by the Indonesian government against Islamist groups, mainly Darul Islam/Tentara Islam Indonesia (DI/TII), operating in the provinces of West Java and Central Java (1948–1962). The crackdown operation not only relied on armed intervention by the army's special forces, but included non-military aspects such as the approach of *ulamas* (Islamic teachers) to elements of local religious institutions which were serving as the basis for DI/TII's social and cultural structures. The goal was to neutralise radical ideologies which spread along with the Islamists' activities. Administrations in both areas of conflict were strengthened by increasing the funds allocated for the development of infrastructure supporting the local economy. This resulted in DI/TII's defeat and suppression of their radicalism.⁴⁶ The same strategy is believed to be effective in managing similar cases in Southeast Asia, as in the effort to prevent the resurgence of violent terror acts in Marawi in the southern Philippines.⁴⁷

However, ASEAN, as an organisation with a collective commitment to combating terrorism, evidently uses a different approach. In combating terrorism, the APSC adheres to the concept of resilience and the principles of the ASEAN Way. Each member state has taken measures to eradicate terrorism

45 Zachary Abuza, 'Borderlands, terrorism, and insurgency in Southeast Asia', in *The Borderlands of Southeast Asia: Geopolitics, Terrorism, and Globalization*, eds James Clad, Sean M. McDonald and Bruce Vaughn (Washington, DC: National Defense University Press, 2011), 89–106.

46 Dinas Sejarah Tentara Nasional Indonesia Angkatan Darat, *Penumpasan Pemberontakan DI/TII S.M. Kartosuwiryo di Jawa Barat* (Countering the Insurgency of Darul Islam of S.M. Kartosuwiryo in West Java) (Bandung: Sekolah Staf dan Komando TNI AD, 1982).

47 Joseph Franco, 'Preventing other "Marawis" in the southern Philippines', *Asia and the Pacific Policy Studies* 5, 2 (2018): 362–369; Gunnar Stange, 'From frustration to escalation in Marawi: an interview on conflict transformation in Southeast Asia with the Indonesian Peace and Conflict Advisor Shadia Marhaban', *Austrian Journal of South-East Asian Studies* 11, 2 (2018): 235–241; Simon Gray, 'Fighting Jihadists in Mindanao', *New Zealand International Review* 43, 3 (2018): 2.

domestically using the relevant instruments at their disposal, including legal, social, economic and religious measures and their armed forces. Cooperation at the ASEAN level acts as a legal umbrella provided to protect the collective interest, specifically in maintaining order and stability in the Southeast Asian region.⁴⁸ According to the Plan of Action for the ASEAN Community, the APSC plays a central role in intergovernmental counterterrorism efforts in Southeast Asia. Legal products relevant to counterterrorist measures in ASEAN, including the Treaty on Mutual Legal Assistance in Criminal Matters, more commonly referred to as the Mutual Legal Assistance Treaty (MLAT), were established on 29 November 2004. MLAT's aim is to increase the capacity and efficacy of law enforcement in each member through cooperation in the investigation and prosecution of criminal offences.⁴⁹ Although MLAT is a legal agreement that provides an intergovernmental framework for preventive measures and responses to cross-border criminal activities, including terrorism, ASEAN's mandate is restricted to the coordination stage. The authority to try and pursue legal action against the perpetrators still rests within each member.

While interstate agreements in the form of 'soft laws'⁵⁰ à la ASEAN do not have a direct impact on the resulting counterterrorist measures taken by individual states, the series of normative structures erected does hold political significance. First, ASEAN is able to handle sensitive terrorism-related issues, which may potentially incite internal controversies, without disrupting regional stability. Despite the reality that decision-making mechanisms, in response to terrorism within ASEAN's structure, are relatively slow compared to multilateral organisations, namely in Europe, the Middle East, Central Asia and the Americas, ASEAN states have been successful in developing effective bilateral and multilateral collaboration independently. This is to say that the principle of flexibility matters in ASEAN. Second, ASEAN demonstrates its ability to run a complex multilateral security arrangement while ensuring national particularities. Through the three pillars of the ASEAN Community, the AEC, the APSC and the ASCC, various international norms have been adopted and ratified as a ref-

48 Ralf Emmers, 'Comprehensive security and resilience in Southeast Asia: ASEAN's approach to terrorism', *The Pacific Review* 22, 2 (2009): 159–177.

49 Association of Southeast Asian Nations/ASEAN, *Treaty on Mutual Legal Assistance in Criminal Matters*, Kuala Lumpur, 20 November 2004 (Jakarta: ASEAN Secretariat, 2004).

50 The term 'soft law' in international relations literature refers to agreements which are detailed in objectives, principles and norms, but their implementation is dependent on the signatories' interpretation. Therefore, law enforcement is determined very much by the goodwill of the parties. For a more detailed conception, see Kenneth W. Abbott and Duncan Snidal, 'Hard and soft law in international governance', *International Organization* 54, 3 (2000): 421–456.

erence point for ASEAN's identity and collective goal. Beyond that, the process of ASEANisation always occurs, during which member states take local norms, cultural values and customs as a filter to determine what may and may not be part of the ASEAN institution, and what to enact in the national system.⁵¹ In this way, the members of ASEAN are able to come to a compromise in terms of the scope, concept and implementation of universal norms to fit the individual interests of each member. This process of selective norm localisation helps ASEAN to maintain its cohesion, unity and stability amid pressures from globalisation.

ASEANisation is also evident in ASEAN's responses to terrorism. Numerous agreements relevant to issues of terrorism comprise the ASEAN Convention on Counter Terrorism (ACCT), which was adopted in 2007. In article II of the ACCT, terrorism is defined by referring to the salient definition from international law. Nevertheless, when it comes to matters of legislation and policy implementation within national jurisdictions, each member is left to make its own interpretation. Those which are not party to certain conventions or international agreements are not obligated to adhere to the norms of concern. Furthermore, article IX(1) of the ACCT affirms that members of the Association agree to exclude motivational factors behind terror acts, including ideology, religion, ethnicity, race and politics, from the criminalisation of terrorism. This is to prevent issues pertaining to the social, cultural and political diversity in ASEAN from becoming politicised or a source of debate, or inciting conflicts which may disrupt the region's security.⁵² This provision is based on the tradition of non-intervention politics and the primacy of consensus in ASEAN's internal interactions, limiting the scope of the ACCT to information-sharing and capacity-building. The ACCT's function as a facilitator is emphasised, in which it strengthens existing cooperation rather than creating a new instrument or method to prevent, overcome and repress acts of terrorism.⁵³

The operationalisation of the ACCT takes place in the ASEAN Comprehensive Plan of Action on Counter Terrorism (ACPoA on CT), released in 2009,⁵⁴

51 A more comprehensive understanding about the process of norm localisation within ASEAN can be found in Amitav Acharya, *Rethinking Power, Institutions and Ideas in World Politics: Whose IR?* (Abingdon, UK: Routledge, 2014), 183–216.

52 Association of Southeast Asian Nations/ASEAN, *ASEAN Convention on Counter Terrorism*, Cebu, 13 January 2007 (Jakarta: ASEAN Secretariat, 2007); Tan and Nasu, 'ASEAN and the development of counter-terrorism law and policy', 1226.

53 Abdul Razak Ahmad, 'The ASEAN Convention on Counter Terrorism 2007', *Asia-Pacific Journal on Human Rights and the Law* 1 and 2 (2013): 93–147.

54 Association of Southeast Asian Nations/ASEAN, *ASEAN Comprehensive Plan of Action on Counter Terrorism*, Nay Pyi Taw, 30 June 2009 (Jakarta: ASEAN Secretariat, 2009).

whereas the ACCT has been in effect since 2011. ACPoA on CT emphasises thorough counterterrorism measures, which include prevention, legal trials, prosecution and socioeconomic management aimed at eradicating the root causes of terrorism. The ACCT and ACPoA on CT's programmes are integrated into the APSC Blueprint, comprised of five sectors: political development, establishment and socialisation of norms, conflict prevention, conflict resolution and post-conflict peace-building.⁵⁵ Despite its inclusion in the APSC agenda, the ACPoA on CT has yet to show any sign of progress, owing to the lack of serious attention to conflict resolution in ASEAN. Member states are more focused on conflict prevention/avoidance. With regard to issues of terrorism, ASEAN serves as an organisation for the prevention of regional conflict that may arise due to differences between its members. Moreover, the security regime in Southeast Asia has not been built on a bottom-up approach, based on transnational civil society actors, in which terrorism is treated as part of a larger contemporary conflict involving multiple actors—states and armed non-state groups, as well as cross-border criminal organisations. In contrast, ASEAN's approach tends to diminish the role of civil society, considering it as having a lesser role in the effort to enhance community involvement in countering transnational terrorism. The ASEAN system has been consistent with a top-down approach, in which the capacity of security agencies and exclusive intergovernmental cooperation to combat terrorism are considered the core elements of counterterrorism policies in Southeast Asia.

This tendency is inseparable from the geopolitics of transnational activities threatening the national integration of Southeast Asian countries. As previously mentioned, the phenomena of insurgency and terrorism are closely related and may form a network that spans the entire region, crossing state borders. For this reason, national governments sustain monopolies over national security resources to preserve their sovereignty in the face of rebels, separatists and terrorists. Another consequence of the geopolitics of transnational activities for ASEAN countries is that they continue to have a sense of distrust towards each other, which may hinder the effectiveness of interstate conflict management.⁵⁶

With an understanding of the security approach, institutional equipment and normative limitations within the APSC, the rise of militarised countert-

55 Association of Southeast Asian Nations/ASEAN, *ASEAN Political and Security Community Blueprint*, Cha-am/Hua Hin, 1 March 2009 (Jakarta: ASEAN Secretariat, 2009).

56 Ralf Emmers, 'Enduring mistrust and conflict management in Southeast Asia: an assessment of ASEAN as a security community', *TRaNS: Trans-Regional and-National Studies of Southeast Asia* 5, 1 (2017): 75–97.

errorism in Southeast Asia could be a problematic affair. Upon closer examination of the treaties and agreements that led to the creation of the APSC, from the Bali Concord II Declaration (2003) to the ASEAN Political and Security Community Blueprint (2009), the APSC has been set up as a means to mitigate tension and dispute within ASEAN, and between member states and states outside the organisation, in order to prevent any escalation into open conflict or warfare. Military initiatives in countering terrorism may be considered to have the potential to raise both internal tension and tension within ASEAN states in cooperation with outside powers. Therefore, the APSC focuses on efforts to enhance confidence-building measures, foster transparency and understanding regarding defence policies and security perceptions (furthering efforts to reinforce the institutionalisation of cooperation in the ARF, which supports the APSC), maintain respect for territorial integrity, sovereignty and unity of ASEAN, and promote norms that intensify cooperation in defence and security in the region. These strictly state-centric provisions signify that there is no space for either unilateral, bilateral or multilateral military intervention to be utilised in ASEAN's approach to security problems that occur in the member countries. This is reinforced by the APSC's agendas of conflict prevention, conflict resolution and post-conflict peace-building—although the natures of the latter two are still rhetorical—which all adhere to the norms of sovereignty and non-interference. All things considered, it is hard to imagine what sort of norm can determine counterterrorism operations which require intensive securitisation at the interstate level.

In relation to ASEAN's highly state-oriented security approach, any national government's initiatives to invite the involvement of external powers in domestic counterterrorism measures, or proposals to directly help other states' internal antiterror operations, can generate unfavourable intra-ASEAN reactions. Foreign-party involvements in individual states' counterterrorism campaigns increase neighbouring countries' sense of vulnerability with regard to their national sovereignty. For example, the military collaboration between the Philippines and the United States to eradicate the armed militia, Abu Sayyaf, and the separatist group, Moro Islamic Liberation Front (MILF) prompted critical responses from Indonesia and Malaysia. Jakarta maintains that counterterrorism in ASEAN ought to stay within the corridor of national and regional resilience, in which the presence of foreign military powers is not needed. A similar sentiment was voiced by Malaysia, re-invoking the regional commitment to resolve intra-ASEAN problems through joint agreements. All three parties have a hitherto unresolved dispute concerning their mutual national borders. The arrival of an external force to the aid of one party, even if to combat transnational terrorism, has become a sensitive issue from the perspective

of neighbouring countries' national sovereignty. This serves to prove that the residual distrust inhibiting intra-ASEAN conflict management may become a future obstacle in regional counterterrorism efforts. Other ASEAN states assert that every party must comply with internal agreements regarding transnational terrorism, especially the ACPoA on CT, which explicitly prohibits the involvement of cross-border military action.⁵⁷

Operationally, joint military action to combat transnational terrorism in Southeast Asia faces the problem of coordination. Who would be authorised to lead the military operation and how it would be organised within ASEAN's existing institutional structures is unclear. The Bali Concord II document of the APSC foundation and the subsequent Plan of Action do not have any provisions regarding cross-border peacekeeping or peace-building operations. These major security agreements have only outlined the diplomatic characteristics of the regional states' approaches to security and defence. Even the recent growth of the role of the ASEAN Defence Ministers' Meeting (ADMM), the inward-oriented cooperation and the ADMM+, which is designed for military cooperation between ASEAN and the Asia-Pacific powers, have been directed at advancing agendas of defence dialogue, rather than pursuing militaristic goals. The strengthening of cooperation among member states to respond to non-traditional security threats through the ADMM platform includes the promotion of regional military operation work plans uplifted by ASEAN's chiefs of defence forces on a biannual basis, and the deepening of regional militaries' engagement with non-military partners on trans-boundary issues. These two initiatives would lead to the maintenance of ASEAN centrality in the regional security architecture.⁵⁸

The role of the military in the context of intergovernmental relations remains driven by ASEAN's favoured regional order. ASEAN, as a multilateral institution, is regarded as the hub of ideas, norms, practices and developments of regionalism in Southeast Asia and the broader Asia-Pacific region. With this centralised mode of organisation, ASEAN governs intraregional and extra-regional interactions in order to avoid open armed conflict between member

57 Association of Southeast Asian Nations/ASEAN, *Joint Statement of the Eleventh ASEAN Ministerial Meeting on Transnational Crime (11th AMMTC)*, Manila, 20 September 2017, <https://asean.org/storage/2012/05/Joint-Statement-of-the-11th-AMMTC-Adopted.pdf> (accessed 18 March 2019); See also the adopted document on ASEAN Comprehensive Plan of Action on Counter Terrorism which was reviewed at the 11th AMMTC, available at <https://asean.org/wp-content/uploads/2012/05/ACPoA-on-CT-Adopted-by-11th-AMMTC.pdf> (accessed 18 March 2019).

58 Evan A. Laksmana, 'Regional order by other means? Examining the rise of defense diplomacy in Southeast Asia', *Asian Security* 8, 3 (2012): 260.

states and between ASEAN members and non-member states. The ARF, therefore, is ASEAN's main arena for security dialogues in which mutual understanding and confidence-building measures in strategic affairs are promoted, involving virtually all Asia-Pacific powers. The TAC plays a significant role in ensuring that the relationships which constitute different interests, policy perceptions and power capabilities all move towards harmony and are ruled by the norm of non-use of force in dispute settlement. This regional security architecture is maintained amid the waves of terrorist attacks in Southeast Asia. The Association defends its conservative position on terrorism as a national security issue, although the ASEAN governments acknowledge the global and regional dimensions where collective counterterrorism efforts should be made.

4 Dual Implications for Regional Security

There are dual implications for the broader security agenda from the emergence of militarised counterterrorism in Southeast Asia that warrant scrutiny. The first implication is for the prospect of democratisation, especially in countries with a lasting past trauma involving military abuse of power. The spread of terrorism as a serious security issue becomes a momentum for the military complex to reach a strategic position, both in the governmental structure and in other governmental bodies previously dominated by other security agencies, specifically the police, whose main focus is on law enforcement. In Indonesia, since 2010, the leadership positions in counterterrorism agencies such as Badan Nasional Penanggulangan Terorisme (National Counter-Terrorism Desk/BNPT) have begun to be occupied by active, high-ranking military officers.⁵⁹ The performance of the intelligence agency of the army has received greater attention and budgets have been increased along with the scope of their authority, reaching non-military sectors. The reason for this is to support the law-enforcing function—especially that of the police, who may be overwhelmed in contending with terrorism.⁶⁰ Government support for the strengthening of military roles in counterterrorism is expressed formally in the form of strategic defence

59 *DamailahIndonesiaku.com*, 'Mayjen TNI Agus Surya Bakti: Curahkan Bakti Demi Indonesia Damai (Major General Agus Surya Bakti: in the service of peaceful Indonesia)', 20 August 2013, <https://damailahindonesiaku.com/mayjen-tni-agus-surya-bakti-curahkan-bakti-demi-indonesia-damai.html> (accessed 21 March 2019).

60 *Tempo.co*, 'DPR Naikkan Anggaran Untuk Berantas Teroris (Parliament increases budget for counterterrorism)', 22 February 2016, <https://nasional.tempo.co/read/747087/dpr-naikkan-anggaran-untuk-berantas-teroris> (accessed 21 March 2019).

policies. In the Indonesian *Defence White Paper* (2015), published by the Ministry of Defence, which has served as the intellectual and practical foundation for national defence policies during Joko Widodo's presidency, the role of the army is explicitly described as protecting the country from various threats, including terrorism. Hence, mobilising the military and civilians trained in basic intelligence and warfare may occur in order to secure the state territory and society from the aggression of domestic and foreign actors.⁶¹ In the Anti-Terrorism Legislation, passed in 2018, the role of the military was legitimised.⁶² Meanwhile, prior to Indonesia's legislation, the national governments of other ASEAN member states, such as Malaysia, Myanmar, Thailand, the Philippines and Vietnam, delegated greater authority to combat counterterrorism to their armed forces.

In relation to this development, an important question arises as to how to balance the use of military power in the war on terror and the prospects for democratisation in ASEAN countries. In the ASEAN Charter and the APSC, the Association's member states have committed to promoting democracy as the regional norm and as a common practice of governance for Southeast Asian states. But the meaning of democracy according to ASEAN leaders differs from the Western liberal ideal. Democracy applied in countries such as Indonesia, Malaysia and the Philippines, and Thailand prior to the 2014 military coup, is elitist, portraying a state-led political model. The central government and political elites control the process of decision-making in many aspects of life. Non-governmental organisations are allowed to take part in the policy-making process, within certain restrictions. This centralised democracy is evident in the ways Southeast Asian governments respond to strategic and foreign policy issues. They are reluctant to engage civil society actors. As a consequence, strategic decision-making at the ASEAN level displays the extension of the member states' political corporatism.⁶³ The weak and marginal position of non-state actors in ASEAN security arrangements is disadvantageous to democracy and human rights advocacy, by virtue of the lack of bottom-up movements

61 Defence Ministry of the Republic of Indonesia, *Indonesian Defence White Paper* (Jakarta, 2015): 101–106.

62 This is stated in the current antiterrorism law, see article 43, *Undang Undang Nomor 5/2018 Tentang Revisi Undang Undang Nomor 15/2003 Tentang Pemberantasan Tindak Pidana Terorisme* (Law Number 5/2018 on the Revision of Law Number 15/2003 on Counterterrorism), <https://sipuu.setkab.go.id/PUUdoc/175528/UU> (accessed 21 March 2019).

63 Jürgen Ruland, "The limits of democratizing interest representation: ASEAN's regional corporatism and normative challenges." *European Journal of International Relations* 20, 1 (2014): 237–261.

of civil society networks as transnational norm entrepreneurs who must foster and defend human rights in Southeast Asia. Therefore, many are understandably sceptical that the securitisation of terrorism under ASEAN states' military powers can take place in a manner consistent with democracy, human rights and also good governance; the deeper the military involvement, the more human rights have to be sacrificed. In the state-centric security perspective of ASEAN, this unfavourable tendency is not taken seriously.

The prospects for the increase in quality of democracy and human rights protection are also influenced by the way the issue of security is framed by political elites and military officers, thus creating an environment for interaction that is inadequate for democracy and human rights. The civil–military relations in most ASEAN countries since the Cold War have been characterised by convergent security interests between civil politicians and leaders of the armed forces, particularly when the state faced formidable threats.⁶⁴ The language of national security was used to bolster the importance of the military forces and their doctrinal judgements on security challenges. The narrative of threats coming from intrusive extra-regional players, mainly China, the Soviet Union and the United States, which had been present in internal ideological conflicts, turned out to be a powerful source of influence for the armed forces to attain primacy in the states' security policies. Had the situations worsened, civil political elites would have concurred with the assessments of military officials in order to reduce the risk of bureaucratic dynamics. In response to the perceived threats to state sovereignty, territorial integrity and national integration, the civil administration function is focused on accelerating the effectiveness of the security measures that have been formulated and employed by the military organisation.

Now, the broadening scope and effect of the contemporary threats to state security provide one more compelling reason for civil elites to support the Southeast Asian militaries in making innovations in war theories, personal skills and technologies during peaceful times.⁶⁵ Innovative militaries can bring

64 Zakaria H. Ahmad and Harold Crouch, eds, *Military–Civilian Relations in Southeast Asia* (Singapore: Oxford University Press, 1985); Robert J. McMahon, *The Limits of Empire: The United States and Southeast Asia since World War II* (New York: Columbia University Press, 1999).

65 The most expansive innovations are undertaken by the Singaporean armed forces, while others like the Indonesian military modernise within a limited scope because of budget restrictions. See, for more detail, Evan A. Laksmana, 'Threats and civil–military relations: explaining Singapore's "trickle down" military innovation', *Defense and Security Analysis* 33, 4 (2017): 347–365; Koh S.L. Collin, 'What next for the Indonesian navy? Challenges

greater hope for the improvement of national and regional security. Resourceful, skilful and professional armed forces personnel are expected to contribute more positively in overcoming non-traditional security threats, domestically and internationally. However, returning to the agenda of human rights within ASEAN countries, the question arises of how civil administrations can ensure that military modernisation or innovation driven by counterterrorism will not be abused for authoritarian purposes. The recent developments in Indonesia, Thailand and the Philippines have demonstrated the return of semi-authoritarianism in their domestic political arenas. Democracy and human rights are not given high priority among the governments' security policies. Instead, so-called state security is of greater importance to ruling regimes.

The second implication is related to modernisation or innovation in the military sector in ASEAN states. At the regional security level, the gap in military power developments among ASEAN members, caused by different internal and external factors, can sharpen the enduring mistrust which has halted intraregional conflict management. While ASEAN's institutions, mainly the ADMM and its extra regional ADMM+ partnerships, are built to serve facilitative and non-obligatory agendas, individual member states are able to augment their military capabilities according to their domestic circumstances. The military politics within ASEAN remain exclusive, so that coordination of defence policies is relatively lax. Without warning, for instance, in the security and defence policy planning of ASEAN states most affected by terrorism issues, a shift in the role of the military in counterterrorism issues has the potential to undermine the solidarity of ASEAN as an organisation for security cooperation in Southeast Asia. There are at least three identifiable trends that factor into the acceleration of internal difference and tension in ASEAN.

First, following 9/11, the war on terror declared by the United States and its allies has globalised. Global antiterrorism coalitions are formed without regard for ideological and political differences, but rather are based on a single motivation, to eradicate the threat of Al Qaeda and other terrorist groups. A new order of international security emerged as a result of Washington's political and economic diplomacy around the world. However, not all actors or regional powers are in agreement with the definition of terrorism as stated by the American government, especially in Afghanistan and Iraq. For instance, the European Union, China, Japan and Russia define terrorism as an exclusive threat to national

and prospects for attaining the minimum essential force by 2024', *Contemporary South-east Asia: A Journal of International and Strategic Affairs* 37, 3 (2015): 432–462.

security, which means that the war on terror does not necessarily warrant military intervention in a sovereign state. This position is relatively more agreeable to most leaders of the Muslim-majority countries, despite their preference not to be in direct opposition with the United States.⁶⁶ This trend is reflected in the ASEAN environment with a paradoxical implication. Although formally and institutionally it seems to be in solidarity in creating a regional counterterrorism cooperation, in large part due to the ASEAN Way, on a practical level sensitivity with regard to the capability-enhancing efforts among members persists. Time and time again, this has proven to be a hurdle for ASEAN in deliberating regional security issues.

Second, it is important to consider the impact of strategic developments in East Asia and the Pacific. Four of the most influential developments include the rise of China's economic and military capabilities, India's more intensified diplomacy to East Asia, Japan's reinterpretation of its constitution post-World War II followed by a reorientation of the defence forces, and the United States' efforts to rebalance China's emerging power. The dynamics taking place show that regional order is in constant flux, both in the context of the balance of power and in conflict management. Therefore, issues that were previously not the main concern of ASEAN are now closely observed for the potential significance of their impact. For example, ASEAN states failed to determine their collective action in responding to China's military presence in the South China Sea. Internally, they are divided into two groups: those who are for China, and those who are against. The reasoning varies in accordance with the national interests in relation to China's economic, trade and investment cooperation in the Southeast Asian region. ASEAN's internal rift, principally in responding to regional security issues involving the great powers, becomes more apparent when member states have different preferences when it comes to political and security cooperation, abandoning ASEAN's principle of neutrality or not formally taking sides with external great powers. Partisanship to certain external actors has been more evident in the last decade.⁶⁷ In this development, the intra-ASEAN security approach only manages to localise, not resolve, the differences and discrepancies of security policies among member states.

Third, considering the previous trends, whatever the ASEAN states' military policies may be, even those with the expressed aim of managing terror

66 Mustafa Al Sayyid, 'Mixed message: the Arab and Muslim response to "terrorism"', *Washington Quarterly* 25, 2 (2002): 177–190; Michael J. Boyle, *Non-Western Response to Terrorism*.

67 Mely Caballero-Anthony, 'ASEAN centrality tested', in *The Routledge Handbook of Asian Security Studies*, eds Sumit Ganguly, Andrew Scobell and Joseph Chinyong Liow (Abingdon, UK: Routledge, 2018): 217–227.

threats will have implications for regional order. This is especially the case with the bilateral interactions of some members with great powers who provide them with military aid, creating an internal dynamic in ASEAN. Within the last decade, there has been a trend of increasing military capabilities in virtually all ASEAN states. In particular, the modernisation of armed forces is focused on the addition of combat equipment for the navy and air force. Defence strategy analysts are of the opinion that Southeast Asia is in its preparatory stage in contending with China's aggressive policies, especially in the South China Sea.⁶⁸ There are also those who believe that the enhancement of naval and air capabilities is intended to boost regional security against terrorist threats in the national and international waters of Southeast Asia. Regardless of how and why threats are associated with military policy, ASEAN's view is clear—its position as an organisation for regional security cooperation is of secondary importance. Agreements made in the ADMM are not the main reference for the military development programmes of each state, but rather a projection of each national government's internal threat assessment, which is to say that the internal trust-building measures and processes in ASEAN have not been effective.

5 Conclusion: The Challenge to ASEAN Centrality

The analysis put forward in this article has emphasised the institutional incompatibilities and implications for regional security with the increasing role of the military in counterterrorism in Southeast Asia. ASEAN's rule-based regional security approach, which endorses norms and values such as non-use of force in settling disputes, sovereignty and non-interference, does not legitimise the use of the armed forces, which are intended for cross-border operations. The concepts of counterterrorism and counterinsurgency are compatible with application in the context of the Southeast Asian region, especially with the symbiotic relationship between terror threats and insurgency movements. Yet, for the ASEAN states upholding state-centric norms, the role of multilateral

68 More on these trends can be found in, for instance, Richard A. Bitzinger, 'A new arms race? Explaining recent Southeast Asian military acquisitions', *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 32, 1 (2010): 50–69; Moch F. Karim and Tangguh Chairil, 'Waiting for hard balancing? Explaining Southeast Asia's balancing behaviour towards China', *European Journal of East Asian Studies* 15, 1 (2016): 34–61; International Institute for Strategic Studies, *The Military Balance 2017* (New York: Routledge, 2017): 237–350.

organisations is limited to facilitators who produce non-binding arrangements, despite the fact that the same arrangements are closely related to legal instruments. In this regard, some incompatibilities may be found, making it impossible to give an explicit mandate for regional counterterrorism to ASEAN states' military.

In addition, there are two identifiable implications caused by inflating the position and role of the military within the Southeast Asian security agenda. The first is the prospect of democracy reinforcement. The threat of terrorism looming over Southeast Asia gives more space for the military to broaden their influence in the political process, where the involvement of civil society in individual states' strategic policy-making as well as ASEAN's collective strategic policy-making is very limited. Ensuring that counterterrorism operations taken on by the army will be entirely compliant with the principles of democracy and human rights is very difficult. The efficacy of counterterrorism continues to be an important reason for the armed forces' continued modernisation or innovation. However, the second implication is that discrepancies in military capabilities and policies among ASEAN members will continue to foster feelings of distrust and inhibit conflict management measures. With the presence of external actors possessing a strong influence over regional dynamics, Southeast Asian security becomes more complex. Ironically, ASEAN, as the main multilateral organisation in Southeast Asia, is unable to move past its traditional boundaries. Consequently, the platforms for military cooperation, such as ADMM and ADMM+, are unable to carry out functions that ensure the compliance of member states.

All of the above poses a challenge to ASEAN centrality in the management of regional security issues. The actions of some member states with commitments to task their armed forces to counter terrorism, which may even lead to joint operations in Southeast Asia, affect the internal solidarity of ASEAN. Beyond that, issues such as conflicts relating to state borders and other historical issues have hampered ASEAN's progressivity in the security sector in the past. The determination to establish centrality through the APSC is put to the test with developments after Marawi and terror incidents in Indonesia. Establishing centrality means fostering compliance to the norms and rules in place. But a tendency to ignore ASEAN as the common and core foreign policy tool has emerged in several members, especially when dealing with terrorist activities. National threat assessments are the main guideline, setting aside collective interests in ASEAN. The question of how far this trend impacts ASEAN's centrality warrants further exploration.

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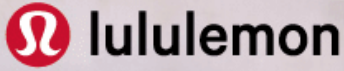
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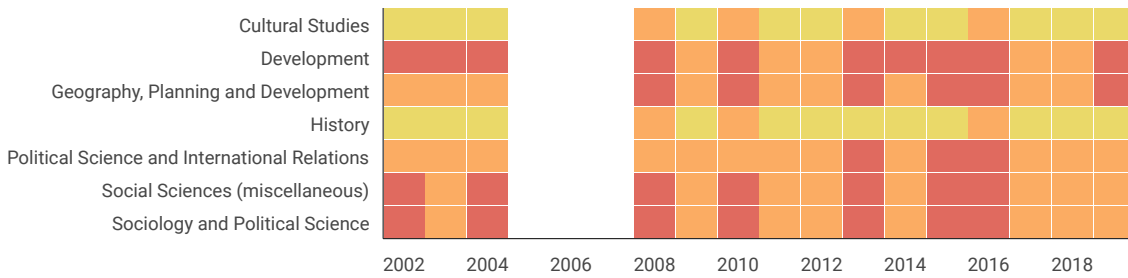


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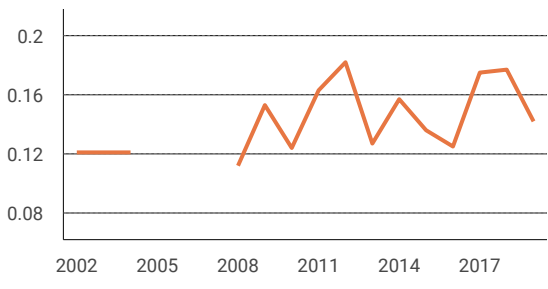
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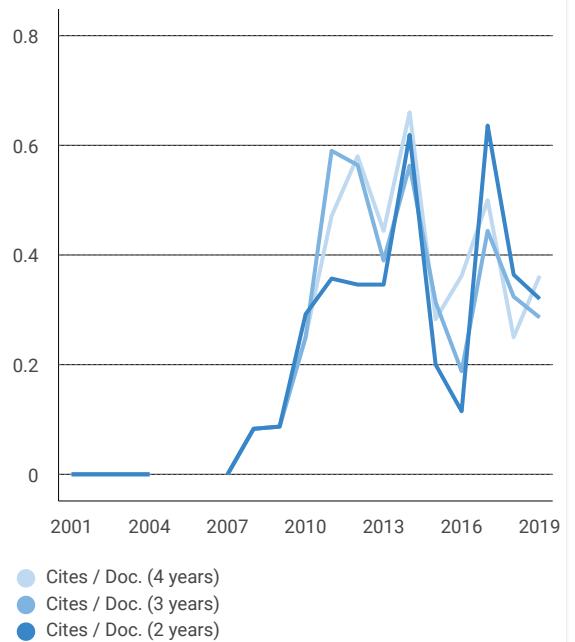
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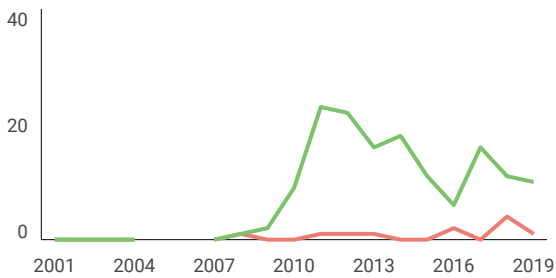
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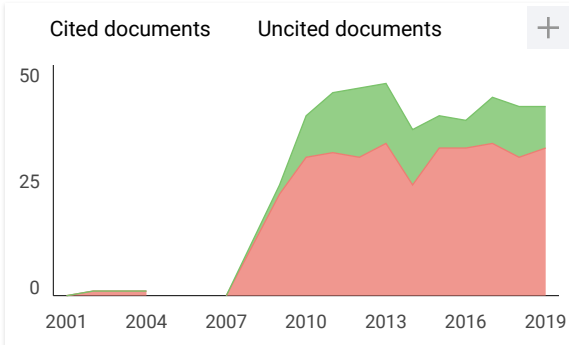
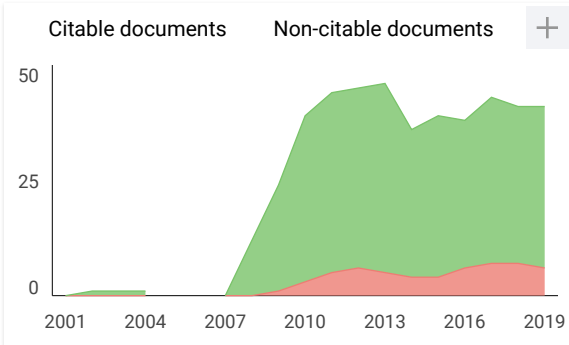
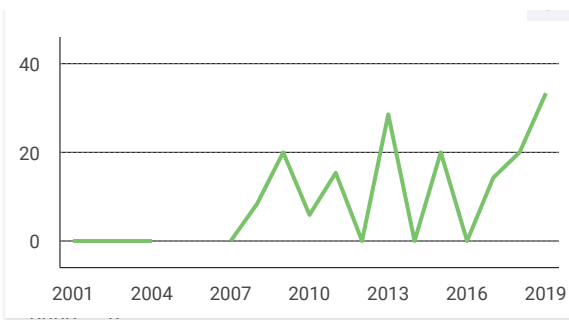
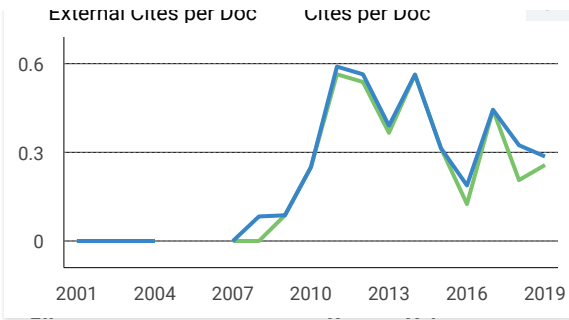
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