ASEAN Dilemma and the Missing Link

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"ASEAN should establish a mechanism to help in resolving conflicts between member states as the region moves toward a fully pledged security community in 2015..."[1]

- Jakarta Post, 2010

Abstract

For more than 45 years, the Association of Southeast Asian Nations or ASEAN has evolved into an organization of multilateral cooperation. It was not clear though if these developments have translated into major changes to the advantage of the ten member states. This paper believes that the achievements compared to its potential have a mismatch. This is due to several factors such as the issue in its charter of non-interference and consensus approach as well as differences in interest. The paper however, used the actual behavior of member states in dealing with the affairs within the ASEAN community. These behaviors are explained through the rationalist theories in international relations, namely: liberalism, realism. Constructivism is set aside because it mainly looks at ideas on how community is constructed by interaction of states, which the paper is not inclined to discuss as it assumes that ASEAN has no common identity yet. It was found out that state behavior, at least in the issue of conflict avoidance rather than conflict resolution, has a negative impact if it persists. The paper argues that the more the member states avoid each other, instead to resolve, this would create a vacuum that would eventually establish a gap among them. This gap would then pose a dilemma promoted by mistrust from and to each other. If this continues further, this would be a deadlock to cooperative efforts of the association. The paper proposes the idea of "special covalent cohesiveness" as the missing link of the ASEAN to progress into a more vibrant and effective multilateral organization.

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[1] Adamrah, Mustaqim (18 August 2010). ASEAN urged to mediate intra-regional conflicts, *The Jakarta Post*. URL: http://www.thejakartapost.com/news/2010/08/19/asean-urged-mediate-intraregional-conflicts.html

Introduction

Almost half a century has passed since the inception of The Association of Southeast Asian Nations, or ASEAN, in August 8, 1967 in Bangkok, Thailand. This was made possible with the signing of the ASEAN Declaration (or Bangkok Declaration) by the founding member states. Within this span of time, scholars and those with ASEAN interest like-minded people have argued that the association has achieved relatively little accomplishment[2]. However, from the original motivation of nation building, containing communistic expansion, sorting out of reduced faith in or mistrust of external powers in the 1960s, developing the economy and curbing the ambition of Indonesia as the region's hegemony, now have extensively branched out to so many areas of cooperation, forming the ASEAN Community. The ASEAN Community is an all-encompassing cluster in the spheres of politics, security, economy and socio-cultural.

The expansion of areas of cooperation was a manifestation to the advancement of the role and purpose of the organization, but tainted with so many criticisms at the same time. Even from the ranks of the association, such as Rodolfo C. Severino, a former Secretary-General of ASEAN, have some doubts of the future of ASEAN. He once said in his speech at the University of Sydney, Australia, in October 22, 1998 the following[3].

> *"Today... the overwhelming impression of East Asia's enduring strength and of ASEAN's efficacy has been cast aside and forgotten. The same commentators who used to assume a future continuous growth for ASEAN now seem to believe that ASEAN can do nothing right – or can just do nothing... This mass shift in perception is perhaps understandable. After all, the economic disaster that has engulfed Southeast Asia, together with much of the rest of East Asia, has wiped out many of the gains of the region's tiger economies, with no quick end in sight..... The frustration and bewilderment over the sudden reversal of fortunes of the region have led many including some in Southeast Asia itself, to raise questions about ASEAN's effectiveness and utility and about the validity of the very idea of ASEAN."*

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[2] Hiro Katsumata, et al. (2008). "ASEAN, Regional Integration and State Sovereignty," *International Security Journal*, 33 Fall (2): 182-188.

[3] Severino, Rodolfo C.(22 October 1988). What ASEAN is and what it stands for?, *Asia Policy Lecture at the Research Institute for Asia and the Pacific*, University of Sydney, Australia.

The statement of Hon. Severino may be treated valid as many scholars echoed the same sentiment[4]. There were factors identified as to why this has been happening, of which, the most prominent is the ASEAN Way of non-interference and consensus-based approach with veto powers. Since the late 1990s, many scholars have argued that the principle of non-interference has blunted ASEAN efforts in handling the problem of Myanmar, human rights abuses and haze pollution in the region. Meanwhile, with the consensus-based approach, every member in fact has a veto and decisions are usually reduced to the lowest common denominator.[5] It was also said that International observers view ASEAN as a "talk shop," which implies that the organization is "big in words but small on action."[6] With these factors at present, ASEAN seemed doomed to revive and amend its charter. But then, even if it actually amends the charter, will this translate to a more compelling and effective ASEAN?

The purpose of the paper is not to answer the aforementioned question. But rather looks at how the member states of ASEAN behave as classified in the different international relations theories. Denoon and Colbert (1999: 503) had explained extensively in their paper how ASEAN member states have been avoiding each other. Instead of giving solutions to conflicting issues, the members try to avoid any confrontation, leading to almost nil resolution. There is a danger of ignoring the real issues among the member states. For if they continue to alienate themselves from each other, in the prospect of resolving conflicts, these small conflicts can lead to a bigger problem.

The first part of the paper presents a brief introduction of ASEAN as an organization while considering past researches on how it has evolved since its founding. The second part presents the rationale and methodology. It elaborates the purpose of the paper and the methodologies used. The third part explains how the different international relations theories were very prominent, particularly on the behavior, in the context of ASEAN. The fourth part includes the main argument about the paradoxes and dilemma of member states, not to mention the conflict avoidance. It presents the argument that conflict avoidance in itself is a paradox. Many examples of incidents will be cited to support such argument. And lastly,   as a conclusion, it provides a definition of what is needed to build an effective ASEAN. It will only define the

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[4] Simon, Sheldon W (2004), "Southeast Asia: Whither Security Regionalism?," *The National Bureau of Asian Research*, Seattle, USA.

[5] ASEAN, Source: Wikipedia Online Encyclopedia, URL: http://en.wikipedia.org/wiki/ASEAN

[6] Malaysian foreign minister (5 December 2005) says ASEAN is no "talk shop". *Asian Political News*.

proposal of a special covalent cohesiveness as the missing link. The details and contents of this Special Covalent Cohesion are left for other scholars to look into and an idea for further studies. It does not intend to elaborate such proposal neither to discuss the strategies to implement such.

Rationale and Methodology

The purpose of the paper is to assess the development of ASEAN as oppose to its potential in the real world. Some scholars claimed that ASEAN is the most successful multilateral cooperation after the European Union. This claim however is valid only at the level of emerging economies such as ASEAN member countries. Moreover, ASEAN is still considered between the beginning and middle stage (called Nascent to Adolescent stage) while the EU is already matured and the cooperation is among advanced economies. At the onset, it can be argued that the concept of conflict avoidance laid the foundation of a peaceful region and presented a reason for ASEAN to be perceived relevant as a group. Meanwhile, this paper is rebuking the aforementioned because ASEAN's full potential has been obstructed by its internal strategies, particularly the conflict avoidance. It argues that this is good only in the short term. The paper asserts that if this avoidance and non-interference continue, there is a considerable likelihood that ASEAN member states will start doubting themselves, which if these doubts prolong; a gap may as well begin to be noticed. And if this gap starts to be established, as mentioned, then there is a big leeway that cooperation may be impeded. It is the sole goal of the paper then to present an alternative thinking about member states' behavior that creates a dilemma inside the association and to find an alternative way to resolve this by presenting the missing link.

The primary source of creating and supporting this paper's argument is articles that are published in international journals, newspaper articles, speeches and insights of international relations experts. They were reviewed in order to identify the existing arguments concerning the performance of the ASEAN, including both positive and negative criticisms.

The paper looks only at the issue of conflict avoidance as the basis of the argument based on their behavior from the platform of international relations theories. Other factors or situations not included are part of the limitation of the paper. Furthermore, ASEAN in this paper is viewed in a micro perspective rather than macro perspective. While ASEAN has established relations to other countries, the external affairs were not considered. Instead, it has mainly focused on internal affairs.

Theoretical Framework of ASEAN

ASEAN as a multi-lateral organization was formed on the basic principle of liberalism focusing on cooperation. In fact, liberalism was the guiding principle which brought the states together to co-operate in the ASEAN paradigm of cooperation which included preserving national sovereignty, non-interference and guaranteeing the survival of the states. In lieu of the several territorial and ideological differences, there were several attempts by the founding member states of ASEAN to come at some cooperative platform, such as SEATO, ASA and Maphilindo before the ASEAN. Although all the prior initiatives had a sudden and early death before getting a full chance to mature, nonetheless these attempts were valuable to built strong foundations for the ASEAN as the saying goes, failures are the pillars of success.

The consensus approach is one of the ASEAN Ways which states that in any intra-organizational issue, states have the option to agree or disagree. Those states who agree will wait for the states who disagreed to agree with them in an indefinite time while those states who disagreed may follow those who agreed soon, also with an indefinite time. This poses the cooperation effort to derail the potential outcome due to time uncertainty. How long these states can wait?

The contemporary ASEAN has advanced from an embryonic concept with its roots from earlier smaller groups into a viable regional organization with international recognition. Indeed, this has set an example for regional cooperation. The relative success of ASEAN has attracted other states outside the Southeast Asian region to be involved in diverse ASEAN activities, for the most part in economic and political affairs. Conversely, however, ASEAN compared with the most successful multilateral organization, i.e. European Union, is by no means have achieved much less success as it should have and is still far from becoming like the EU. Although ASEAN is based on liberalism, its member states are not cohesively and strongly bounded towards each other. Rather they behave more like individualistic state pursuing their own interests which coincides with the principles of realism. Apparently, the reason for them behaving like realist is trade benefits that are guided by domestic political interests. To put this in perspective, the member states are looking for short-term gains rather than long term gains which indirectly impede the advancing of cooperation and integration leading to a more advanced organization like the European Union. Therefore, member states must behave more like neo-liberal institutionalist to cater both the contrasting interests. In other words, ASEAN member states are following the principles of liberalism on the outside while following the principles of neo-liberal

institutionalism on the inside [See Figure 1].

Figure 1. Theoretical Framework of ASEAN

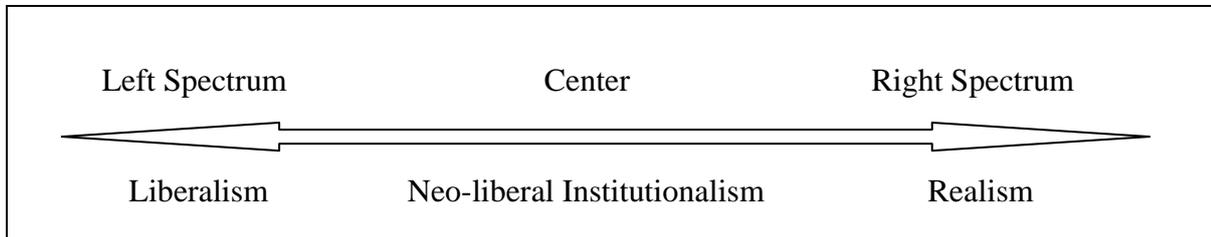| Left Spectrum	Center	Right Spectrum
Liberalism	Neo-liberal Institutionalism	Realism

Figure 1 illustrates the behavior of states in accordance to international relations theories. The aforementioned theories are briefly defined as the following: Liberalism means states put emphasis on economic and cooperative efforts and consists of several actors. Realism looks at states as actors. It focuses on national interest through power and survival. States cooperate because of gains. However, as realists are more concerned about survival, they seek for relative gains. Neo-liberal Institutionalism is based from liberalist principles though it goes towards realism[7].

The neo-liberal institutionalism approach can be argued as a compromise between extreme liberalism-left spectrum and realism-right spectrum. Historically, ASEAN member states have been into territorial disputes with each other that are not solved to this date. These disputes have been raised time and again but they have tried to avoid them rather than to solve, arguably because of having an interest in trade and economics and not to mount any confrontation. Because of this conflict between cooperation and self-serving interest, states are behaving more in the safer side. Extreme realism is never an option as it only creates instability; neither nor extreme liberalism, for this only portrays a limp and numb integration. As a consequence, member states behave somewhere in between liberalism and realism in the face of conflict avoidance. As Denoon and Colbert (1998: 506) have pointed out, "ASEAN has contributed much more conflict avoidance among its members than to conflict resolution." In the hindsight, conflict avoidance is perceived as a good way to keep the region stable and peaceful. In other words, ASEAN member states try to avoid or escape the responsibility of solving their issues and problems, resembling the liberal approach.

Alternatively, the charter recommends that disputes among member states should be

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[7] Baylis, J and Smith S. (2001, 2nd ed.). *The Globalization of World Politics, An Introduction to International Relations*, Oxford University Press. Oxford New York.

resolved bilaterally[8]. But, this bilateral approach has been criticized by Charles A. Kupchan saying that this is unconstructive[9].

Conflict avoidance as presented does not mean a dismal way to handle conflicts in the region. The paper only argues that this way of handling is good in the short term and does not allow the full potential of the association to materialize. It can be said that if the pending long time standing disputes are not solved while common economic interests are not fulfilled, their liberalist approach goes towards realism. In this situation, it can create or complicate problems for the ASEAN and may post several questions of legitimacy as well as efficacy. ASEAN's lack of capacity to address domestic and regional conflicts was highlighted as a major weakness such as in the case of East Timor civil war. In East Timor, ASEAN fell short of what was expected from it, especially during the initial stage of the conflict.

Conflict Avoidance vs. Conflict Resolution

Southeast Asia is faced with domestic and external threats. Since the time of cooperation efforts started until recently, several countries have troubles with domestic insurgencies and interest to safeguard its regime. At the same time, China and other strong neighboring powers poses threats to the region.

Conflict Resolution is the process of ending a disagreement between two or more people in a constructive fashion for all the parties involved[10]. It is also defined as the process by which the system handles and resolves conflict within the system, and between the system and the community (Bill Walters, 2000)[11].

On the other hand, Conflict Avoidance is defined as postponement or avoiding the conflict by ignoring it, changing the subject, etc. Avoidance can be useful as a temporary measure to buy time or as an expedient means of dealing with very minor, non-recurring

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[8] Article 2 of ASEAN Charter outlines the fundamental principles that member states should respect each other's independence, sovereignty, equality, territorial integrity and national identity of all nations with an emphasis on non-interference in the internal affairs of one another. URL: http://www.aseansec.org/21069.pdf

[9] Charles A. Kupchan is a visiting scholar at Harvard University, Columbia University, the International Institute for Strategic Studies in London, etc. He was the director for European affairs on the national Security Council during the first Clinton administration.

[10] Conflict Resolution, Source: Wikipedia Online Encyclopedia, URL: http://en.wikipedia.org/wiki/Conflict_resolution

[11] Walters, Bill (2000) Conflict Management Collaboration of Conflict Resolution Skills: A Core Academic Competency, Conflict Management in Higher Education Report, Nov-Dec. 1(4).

conflicts. In more severe cases, conflict avoidance can involve severing a relationship or leaving a group. While conflict avoidance has justly been the subject of considerable condemnation, it can be rather useful in allowing both parties to cool off or in buying time until all the facts of a matter have been gathered (Reference for Business)[12].

The act of avoidance itself is a resolution because in this way, the region is in a stable state. However, it misses the point of genuine and multi-faceted cooperation whereby only used as an excuse. How can they cooperate if they could not even talk about their differences or conflicts as a group? Whether in a small or big organization, collaboration through tough measures is necessary. There was not a single incident where ASEAN member states themselves were involved in a severe and huge fight, but this paper believes that serious conflicts come from small beginnings. How can a member trust another member if, in the first place, that other member has issues that he cannot confront and talk about? Trust building is very important that could be achieved through the historical process of interaction. Looking at the theory of avoidance that ASEAN member states are carrying out, it does not make any sense to prolong as this will only worsen the situation in the long run.

In addition, it is not only about the practice of avoidance that is making the problem. It is also the dynamics and administration that is the predicament. This is a question of who assumes the leadership among the ASEAN member states to preside over a peace-talk or a negotiation between two or more parties in conflict. It is an issue of who initiates the communication to resolve an issue or a problem. The aforementioned are not clear because member states have refused to talk about it. Differences among the member states are implicit. Among the member states, the economic, military, population and the number of allies or closer relations with other ASEAN members is an indicative of ones position within the organization. These basic statistics and indicators are somewhat self-defining.

Thomas and Kilman grid views avoidance as a lose-lose proposition since it does not address the issue at hand. But other sources view avoidance as a useful means of disposing very minor, non-recurring conflicts whose resolution would expand excessive amount of time and resources. The proposition of Thomas and Kilman follows through the idea that conflict avoidance would only worsen small existing conflicts[13].

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[12] Reference for Business (2nd ed.), Encyclopedia of Business
URL: http://www.referenceforbusiness.com/management/comp-de/Conflict-Management-and-negotiation.html
[13] Thomas & Kilman views on Conflict Resolution. Resolving conflict rationality and effectively.

Closely monitoring at how ASEAN member states behave, we arrive at a notion that each member naturally aspire to act as a realist. However, they could not go as far as extreme realist-right as they are bounded with liberalist-left founding principles. Going towards realism would only escalate tension and generate more confusion. In effect, as much as they behave in accordance to their state-interest, there still remains a limit to how they can behave. As a result, again in the case of ASEAN, they act between liberalist and realist, called neo-liberal institutionalism.

Being rational, in the face of conflict avoidance, and in the context of ASEAN cooperation creates an atmosphere of stability. However, this paper argues that this stability is not sustainable, at least in the short term. Conflict avoidance in extreme sense means not dealing with the issue as well as ignoring the existence of conflict. It means that it is left untouched and no resolution should be expected. ASEAN member states recognize the conflicts but continue to disregard the importance of dealing with them. Human beings are the major architects acting on behalf of states to behave. It is natural that two individuals do not talk and continue to ignore each other will eventually alienate each other, to the point that it creates a gap. A gap is very crucial in any type of relationship, whether at the individual level or state level. This is the *mecha* of the demise of ASEAN. Moreover, if this gap widens, this will bring an environment of mistrust and in due course impedes all other forms of cooperation within ASEAN. Although ASEAN is credited for establishing mutual trust inside the organization, Chalres A. Kupchan believes that this mutual trust does exist only at a certain level[14].

Shaun Narine claims that conflict avoidance is the result of confrontation of the member states. As quoted, "ASEAN essentially evolved as a non-aggression pact between its member states. After the end of the confrontation between Indonesia and some of its neighbors, the non-communist of the region needed to reassure themselves they could work together cooperatively (2007: 8)."[15] It is in fact a result but this conflict avoidance with the current time should be taken in a broader and applicable way. The paper does not argue that confrontation should be reinstated but rather it is saying that conflict avoidance is not the best way either. This paper suggests that conflict avoidance has foregone a lot of opportunities and could have performed

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For details, see, URL: http://www.mindtools.com/pages/article/newLDR_81.htm

[14] Kupchan, Chales A. (2010)"*How Enemies Become Friends*," Princeton University Press, New Jersey, USA.

[15] Shaun Narine (2007), 40 years of ASEAN performance, lessons and perspectives.
URL: http://portal.uni-freiburg.de/politik/forschung/lehrstuhl2/downloads/Konferenzbericht_asean

more than it has, in the assumption that more can be achieved if two individuals deal with the conflicts and not by avoiding that leave significant matters in doubt.

Almost every country has become very active in the pursuit of establishing relations with other states recently. The world has become more competitive and failure of states to act in its interest so as not to be engulfed by stronger states is imperative in international affairs. It is therefore also imperative for ASEAN as a group to solve their internal issues so they can behave as one bigger force when they do business with the outsiders. The strong relationship of member states internally is the key to the success of ASEAN to have a better position in the region and beyond. What is lacking then is the cohesiveness of member states. Once cohesiveness is instituted, ASEAN as a group can easily solve internal conflicts and straightforwardly seize a stronger position in the international arena.

China and India has been involved in border dispute over the last more than five decades. Both countries have been avoiding each other to minimize confrontation[16]. This may maintain peace between the two countries but no one can claim that such conflict is resolved nor subsided. If in the event those other areas of conflicts arise, this conflict that has been unresolved due to avoidance will always be associated along with the new issues. It will definitely keep on repeating and living the perceivably forgotten conflict, especially that both China and India claim the disputed area. To this date, China and India has rancor due to this disputed land which was left unsolved.

Similar to the case of the ASEAN, whatever conflict that member states avoided to resolve will always be carried on the present, which could actually ignite nationalist sentiments[17]. The argument clearly states that an issue should be resolved or at least arrive into an agreement no matter what, so as not to put every member state in a vague and unclear position on the matter.

Conflict avoidance is beneficial in the short term and perhaps a provisional cure to conflicts. Establishing such view, the paper goes with the notion that ASEAN member states' avoidance is temporary in resolving conflicts among themselves. The dilemma is the short term and temporary solution. It is the conflict avoidance that has created mistrust and gap among the member states that arguably impedes the cooperative efforts and actualizing more potentialities.

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[16] Daniel Wilkes (1968) Conflict Avoidance in International Law – The Sparsely Peopled Areas and the Sino-Indian Dispute, *William and Mary Law Review*, 9 (3): 716-748

[17] Leaders rather solving the issues ignite the disputes by giving nationalist speeches. For details see, URL: http://http-server.carleton.ca/~gfrajkor/zine97/group2/kerr.html

The dilemma itself is self-curing provided that member states adhere to some minimum requirements. States can still behave in a liberalist behavior but must disregard or at least address the issue on conflict avoidance.

Thailand and Cambodia have territorial and maritime conflict with a long common border and history of wars and disputes between them for a long time. Both countries asserted their claims on the possession of Preah Vihear temple which has witnessed bloody clashes claiming several lives. The International Court of Justice (ICJ), as ruled in 1962, awarded the Preah Vihear temple and the territory thereof to Cambodia after legal arguments. Ironically, ICJ has already given the ruling, but how come that this dispute has been recurring?[18] The latest border dispute erupted into violence in October of 2008 and April of 2009, as troops from both nations exchanged fire over ownership of an ancient temple and the surrounding land. The conflict of both the countries has put a question mark on ASEAN's role in world peace where its members are in itself involved in the conflicts.

Malaysia and Singapore had a territorial dispute over Pedra Branca Island since 1980s. It was resolved through the International Court of Justice by ruling in favor of Singapore in 2008.[19] However, the conflict did not end from the ruling of ICJ because there are other territorial disputes such as delimiting the territorial waters in the Pedra Branca and middle rocks area that are left unsolved.

The swift degeneration of relations between Cambodia and Thailand has raised questions about the international credibility and integrity of ASEAN….. the 8th ASEAN Summit was held in Phnom Penh were the member states placed to enhance cooperation and deepen

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[18] October 6, 2008-- Two Thai soldiers were wounded by exploding landmines in the border area after entering a little more than a half mile into Cambodian territory.

October 3, 2008--Thai and Cambodian troops exchanged fire with each other on the disputed territory near the Preah Vihear Temple. The fighting lasted for nearly only a few minutes, leaving two Thai soldiers and one Cambodian soldier wounded.

October 14, 2008 --Cambodian and Thai forces opened fire on each other in the border area, leaving three Cambodian soldiers dead and two Cambodian and seven Thai soldiers wounded. One wounded Thai soldier later died of his wounds. The Cambodians claimed to have captured 13 Thai soldiers during the battle, but the Thais denied this.

April 2, 2009--Fighting between Thai and Cambodian forces left at least 3 Thai soldiers and 2 Cambodian soldiers dead. Cambodia claimed 4 Thai soldiers were killed, 6 wounded, and 10 captured. 2 Cambodian soldiers were also reported killed in the border clash. For details, see, URL: http://www.historyguy.com/thailand_cambodia_border_dispute.htm

[19] For details, see: http://www.icj-cij.org/docket/files/130/14490.pdf

solidarity among ASEAN nations to maintain peace and mutual security. It is a shame and a major setback for ASEAN, as no ASEAN government has expressed any concern at the deterioration of Thai-Cambodian relationship, although it had resulted in the unprecedented downgrading of the diplomatic relations, when ASEAN should have been in the forefront to express concern and to address the worsening of intra-ASEAN government/country relations threatening to make a mockery ASEAN's raison d'etre to uphold neutrality, peace and stability in the region (Lim Kit Siang)[20].

Conclusion

Nearly half a century of the existence of ASEAN, it surely deserves more from what it is now. The conflict avoidance as the current strategy to keep the region peaceful can be seen as a problem itself. A way to resolve conflicts on the other hand should be put in place, but it is the way to achieve such resolution that is missing.

Conflict avoidance is reasonable in the short term however not in the long term as argued in this paper. Every country anywhere in the world is actively moving towards catering its own interests. Perceived weak and smaller countries in these competitive international relations need to move as well in the forms of integration and regionalism to become stronger and bigger. Forming a common venue such as ASEAN will definitely make them more prominent in the midst of international affairs. In doing so, within this group however, conflicts among the member states should first be resolved in order to move forward and move as one to push for the region's interest.

Conflict avoidance as a temporary solution perceived in this paper is a problem in itself because of the long term consequences. Such consequences include the creation of mistrust and eventually widen the gap between the member states. In due course, these unresolved conflicts will stagnate the development of ASEAN and more importantly, impedes other areas of cooperation. In arriving at a solution to internal conflicts in order for the ASEAN to move forward, a form of mechanism called "Special Covalent Cohesion" is imperative.

The concept of Special Covalent Cohesion includes several sub-concepts and propositions. This paper suggests three factors or common denominators as a solution to internal conflicts that once resolved, will give ASEAN a more legitimate and better position in the international rim. These three denominators, however, are suggested to be implemented

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[20] Lim Kit Siang(31January 2003), Thai-Cambodia and Malaysia-Singapore conflicts, DAP Malaysia. URL: http://www.dapmalaysia.org/all-archive/English/2003/jan03/lks/lks2072.htm

simultaneously.

The term "cohesion" in this paper means bonding of states. But bonding itself has several degrees of bonding. The "covalence" suggests the strongest form of bonding which is needed in the ASEAN community. It is "special" because ASEAN cooperation and integration is very unique in terms of the composition of every member, differences is huge and other models for integration such as EU model could never be adopted in the ASEAN at least in the forms of governments.[21]

The first factor is guarding each others' behavior. Each member state should act according to cooperative efforts in such a way that every member is accommodating and compromising. In respect to the international relations theories, it could be suggested that member states should behave in between liberalism and realism.

The second factor is the establishment of an impartial ASEAN member states exclusive tribunal. This tribunal will act as a regional court of justice that will serve as the place to bring one country's issues and be resolved. The tribunal would consist of several representatives from each country. The tribunal will have then a jury system where involved countries could not include a representative in the jury. This is a place to negotiate and listen to arguments. Malaysia and Singapore has been involved in a territorial dispute and was resolved by a third-party outsider. It was resolved through the International Court of Justice (ICJ). There is nothing wrong about seeking the help of a third party, an outsider in particular, but this reflects the inability of the ASEAN as an organization to resolve internal conflict. It reflects a weakness in the mandate of the charter as well as an embarrassment to the ASEAN's image[22]. This weakness gives other non-ASEAN countries an opportunity to negotiate on their terms. At the same time, this embarrassment only confirms and reaffirms the question of legitimacy of the association as a group moving forward as one.

ASEAN member states can be seen as members of a family. It is saying that a family which could not resolve a family problem only means that the family is indeed disbanded. It is a demonstration that the family needs to interact and deal with the problem so as not to make the problem bigger and definitely make the relationships better. A family with members in good

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[21] All EU countries have a democratic political structure. ASEAN has mixed political structure. Culture differences are also another factor.

[22] It may be argued that Malaysia and Singapore were brave to seek the assistance of a third-party outsider. However, the paper presumes that any form of seeking for help is a sign of weakness.

relations acting as one means that if a family is faced with a problem that needs to be resolved, there is no doubt that the problem can be resolved in no time. This means too that a family with internal conflicts should first establish a mechanism to talk about the issue among them in order to have a peaceful environment.

Along with the two factors mentioned above, considered as the third factor, is a review of the ASEAN charter, the non-interference in particular. This provision in the ASEAN charter has been criticized for it is showing signs of weakness that brought negative implications.

If all the three factors are implemented and are adhered by all the member states, then it is certain that ASEAN can finally resolve its internal conflicts and play an important role not only in the region but also in the global affairs. The current security community could be regarded as symbolic rather than practical in every sense and therefore resolving issues must take place.[23] The three factors are expected to arrive at a resolution that is needed in the many internal conflicts inside the ASEAN. Once the resolutions and agreements are made clear, these will fuel other areas of cooperation among the member states and at the same time put ASEAN a significant position on the map. This simply translates to an effective and more legitimate Association of Southeast Asian Nations.

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[23] Kupchan, Chales A (2010). "*How Enemies Become Friends*," Princeton University Press, New Jersey, USA.

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