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Introduction

Democracy and Human Rights in Southeast Asia

James Gomez and Robin Ramcharan

Southeast Asia has been undergoing a transition to more democratic forms of governance over the last two decades. The 2007 Charter of the Association of Southeast Asian Nations (ASEAN) stated that henceforth ASEAN would pursue democratic forms of governance, the rule of law and the attendant fundamental human rights, which are the hallmark of liberal democratic states. This major normative evolution is one chapter of ASEAN's post-Cold War efforts to deepen its members' interactions in the economic, politico-security and socio-cultural realms. ASEAN has been engaging in "community-building" in these areas. A community presupposes the development of common values among its member-states and among all of their citizens. It has been argued by constructivist scholars, for example, that in the politico-security realm a security community has been forged via a diplomacy of accommodation, or the "ASEAN Way", that respects the core principle of non-interference in the internal affairs of states. An ASEAN Economic Community (AEC) envisages a liberalised economic space through free trade and the creation of an integrated production platform. The new democracy and human rights order aims to create a more "people-centred" ASEAN.

Given the intimate linkages between democracy, the rule of law and human rights, authors in this volume examine the state of democracy and human rights in Southeast Asia from a regional perspective. A number of broad questions are broached here: 1) What is the democratic framework within ASEAN? 2) How did that framework shape the establishment of a regional human rights mechanism in ASEAN? 3) What theoretical approach may be most appropriate to study the motivation of states and the condition of human rights in ASEAN member states?

Explaining changes or additions to ASEAN's normative foundation is a daunting task due to the lack of regional consensus on the substantive content of the recently adopted principles of democratic governance, rule of law and protection of human rights. The region is no exception to the global march of democracy that has taken place in recent decades (discussed below), as distinctions between democracy in form and sub-

stance must be appreciated. ASEAN adopted democracy as the model of governance for its members and appeared to move away from non-interference as its central guiding principle and towards a more interventionist set of precepts that would promote and protect fundamental human rights via a peer-review mechanism, the AICHR. However, a cohesive community of adherents to liberal democratic values was absent, and member states had divergent reasons for adopting the Charter and the AICHR. Moreover, there has been great regional discord over the substantive content of fundamental human rights as embodied in universal instruments. The linkage between human rights and liberal democracy, also explored below, is well documented, and ASEAN's normative changes presaged the advancement of liberal democracy in the region and the consolidation of established democracies (such as Indonesia, Malaysia, the Philippines and Thailand), as well as the transition to democracy of other members still steeped in various forms of non-democratic governance.

The regional perspective contemplated by the authors in this volume has revealed the following: the absence, in practice, of a community anchored to democratic principles; the discord within ASEAN over the pursuit of the liberal democratic form of governance; the disagreements over the content of substantive rights; and the continuing adherence to non-interference in internal affairs as evidenced by the enactment of a relatively weak human rights mechanism. Understanding the regional political dynamics perspective helps to explain the adoption of a regional democratic framework and regional mechanism for the protection of human rights despite the absence of corresponding region-wide practice. This perspective may be a useful complement to the literature on transitions to democracy, which is reviewed below. A balanced overview, nevertheless, begins with recognising Southeast Asia's march towards democracy.

ASEAN and the Global March of Democracy

In the preamble to the ASEAN Charter of 2007, the ten member states agreed to adhere to the principles of democracy, the rule of law and good governance, respect for and protection of human rights and fundamental freedoms. In Article 1, the Charter asserts that one core purpose of ASEAN is to strengthen all of these principles. The member states also made a commitment to adhere to constitutional government and to uphold the UN Charter and international law. It should be re-

called that international human rights law is part of the international legal order.

The consolidation of democracy in the recent elections in Indonesia and in the forthcoming elections in Myanmar in late 2015 bode well for the advancement of the rule of law and fundamental human rights. Indeed, post-Cold War Southeast Asia appears to be following the global trend towards electoral democracy and consolidation of the same.

A dramatic expansion of democratic and representative forms of government has taken place since the end of World War II. At the end of the Cold War, Francis Fukuyama proclaimed the “end of history” to signify the triumph of Western, liberal democracy over the long run, even if events may set back this process at times (Fukuyama 1992). A decade later, Fareed Zakaria wrote, “We live in a democratic age” (Zakaria 2007: 13). Whereas in 1900 no state qualified as a “liberal democratic” state, 62 per cent of countries qualified as such by 2007 (Zakaria 2007: 13). Indeed, the number of democratic states has even increased since then. Some 75 per cent of the states in the world today are rated as “free” or “partly free” (Freedom House 2014). Moreover, there has been a shift of power downward, towards the people. There has been a democratisation of economies and of culture. Nefarious aspects include a democratisation of violence towards non-state actors. Nevertheless, in the overall advance of democracy, conceptions of human rights have played a pivotal role in the world and will continue to do so in the future.

In his 2014 book *In 100 Years Leading Economists Predict the Future* (Acemoglu in Palacios-Huerta 2014: 201), MIT economics professor Daron Acemoglu reviewed the principal trends of the past one hundred years and began with “Trend 1”, which he called the “Rights Revolution”. Ours, he writes, has been an age of political rights. Never before in human history have so many people taken part in choosing their leaders and had at least some voice in how their societies are governed. The spectacular advancement of rights has not been confined to political rights for the majority. The civil rights and freedoms of individuals, women, and religious, ethnic and sexual minorities are much better protected throughout the world today than was the case one hundred years ago.

One concern, however, is the quality of the democracy that is being ushered in. Are the rights attendant to liberal democracy being installed synchronously? While “liberal democracy”, which has deep roots in Western Europe and North America, has progressed spectacularly in these two regions, this “constitutional democracy” has not been consolidated in other parts of the world. Liberal democracy refers to a political

system under which free and fair elections are held and which is also marked by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion and property. This package of rights, or “constitutional democracy”, has suffered setbacks globally in the post-Cold War era – which was marked by tensions between liberty and security in a globalising “war on terrorism” – and is not intrinsically linked to democracy even if the two have accompanied each other in Western history. It has been noted that in the “West” over the last half-century, “democracy” and “liberty” have merged (see generally Foner 1998; and Sidentop 2014). But today the once-intertwined strands are coming apart across the globe. “Democracy is flourishing, liberty is not” (Zakaria 2007: 17).

While democracy in the form of electoral processes has multiplied, the result has not always led to constitutional democracy. Indeed, elections have often led to dictatorships, fascism and authoritarianism. Places that come to mind include the Middle East, Central Asia and parts of East Asia, including Southeast Asia. The Economist Intelligence Unit (EIU) has noted that in Asia, although some parts – from North Korea and Laos to Vietnam and China – are still “entrenched authoritarian regimes”, the previous twenty years or so has seen the spread of democracy in the region overall. Some twenty Asian countries held elections between 2002 and 2012, and quite a few have undergone peaceful transitions in government (EIU 2013: 22). The EIU noted, however, that “democratic political cultures in Asia are often underdeveloped and shallow, even in the countries that have democratized” (EIU 2013: 22). The EIU noted a survey by the Asian Barometer which stated that “more citizens believe that the nations’ recent democratic transitions had brought no improvement to their lives” (EIU 2013: 23).

In a few instances, “illiberal democracy” in the form of liberal autocracy or authoritarian democracy may be on the rise. In the twenty-first century, two states that have resisted the liberal democratic trend are Russia and China. The latter’s authoritarian, one-party system of governance has proven highly successful at delivering economic growth and has even managed to lift hundreds of millions of people out of poverty. Indeed, China’s is an attractive model to some developing countries that are seeking to do the same. India’s vibrant democratic system, with all of its turbulence, has not yet been able to achieve the same level of success; however, proponents of Indian democracy argue that over the long term India will prove to be a more stable and durable system.

Freedom House’s latest annual analysis, *Freedom in the World 2014*, has noted that freedom has declined on average worldwide for the eighth

consecutive year as civil liberties have been curtailed yet again. It noted “declines in democracy” as some leaders “effectively relied on ‘modern authoritarianism’, crippling their political opposition without annihilating it, and flouting the rule of law while maintaining a veneer of order, legitimacy and prosperity”. According to Freedom House, a central feature of modern authoritarians is “the capture of institutions that undergird political pluralism. They seek to dominate not only the executive and legislative branches, but also the media, judiciary, civil society, economy and security forces” (Freedom House 2014). According to the EIU, by 2012, half of the world’s population lived in “a democracy of some sort”. However, in 2013 and 2014 progress in democratisation backslid: Slightly less than half of the world’s population lived in a democracy of some sort, but only 11 per cent resided in full democracies. As of 2014, approximately 2.6 billion people, more than one-third of the world’s population, still lived under authoritarian rule (with a large share being in China) (EIU 2013: 26). Improving this state of affairs, notably in South-east Asia, requires greater respect for, and protection of, fundamental human rights.

Interconnectivity of Democracy, Human Rights and the Rule of Law

Channelling Samuel Huntington in *The Third Wave*, Zakaria noted that “open, free and fair” elections are the essence of democracy, but that even elected governments “may be inefficient, corrupt, short-sighted, irresponsible, dominated by special interests and incapable of adopting policies demanded by the public good” (Zakaria 2007: 18). Constitutional liberalism is not about procedures. It draws on the philosophical tradition deeply rooted in Western political history that emphasizes individual liberty. “It is constitutional because it places the rule of law at the centre of politics” (Zakaria 2007: 19). Constitutional liberalism developed in Western Europe and the US as “a defence of an individual’s right to life and property and the freedoms of religion and speech” (Zakaria 2007: 20). Securing these rights required checks on the power of government, equality under the law, impartial courts and tribunals and the separation of church and state. It argues that humans have natural (“inalienable” rights) and that government must protect these rights, limiting its own powers in order to do so. As democracy has advanced globally, “regimes that resist the trend produce dysfunctional societies” because thanks to information technology, today they can see what is “on the other side” and “sense the deprivation of liberty more strongly than ever before”

(Zakaria 2007: 18). Democratic countries often become “sham democracies” that engender disenchantment, disarray, violence and new forms of tyranny. In the context of a majority of conflicts taking place within states, democracy through electoral competition, representation and popular presentation is the “ultimate system of conflict management”, as disputes are channelled through the political system (International IDEA 2006: 3). The importance of protecting human rights in mitigating conflicts and in perfecting democratic practice is obvious and has been noted by the international community.

The Human Rights Council has, significantly, maintained the position of its predecessor, the former Commission on Human Rights, that democracy, the rule of law and human rights are profoundly interconnected. In March 2012, the Human Rights Council adopted a resolution entitled “Human Rights, Democracy and the Rule of Law” which reaffirmed that democracy and the development of and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing. The Council called upon states to work unceasingly to strengthen the rule of law and promote democracy through a wide range of measures (UNHRC 2014). The UN High Commissioner for Human Rights noted at an OHCHR expert seminar in 2003 that democracy remained the best hope for securing human rights and dignity, and that states needed to move beyond narrow notions of democracy to promoting and securing “holistic democracy” – a conception of democracy that “encompass[es] [among other things] the procedural and the substantive, formal institutions and informal processes” (United Nations 2003: para. 4). The high point of democracy, according to seminar participants, was the measure of success of human rights. As experts noted:

The enjoyment of all human rights by all persons is the ultimate purpose of democracy. The achievement of high levels of human rights protection is a measure of the success of a democracy. The rule of law in a democratic society is a prerequisite and main vehicle for the protection of human rights (United Nations 2003: para. 4).

That the quality of democracy in the region needed serious improvement was alluded to by former ASEAN Secretary-General and top regional diplomat Dr. Surin Pitsuwan, who noted at this same expert seminar in 2003 that “many states refer to themselves as ‘democratic’ and have established institutions to authenticate this label” (United Nations 2003: para. 5). Alluding to Thailand’s rocky road to democracy, he cautioned that

all sectors of society must strive towards a vision of true democracy based on those common standards of achievement enshrined in the Universal Declaration of Human Rights.

This advice is prescient given the continued presence of military establishments even in Southeast Asia's star democracies. One could understand why Indonesian democracy might be an attractive model to Myanmar's current rulers. He also discussed the region's people seeking to achieve human rights "on the wings of their own cultures, inspirations and teachings [...] to arrive at an optimal equilibrium in which dignity, freedom and rights can be secured" (United Nations 2003: para. 5). Indeed, discourses on the protection of human rights in Southeast Asia reveal competing views between and within states that are generating a "local", culturally bound protection regime.

The State of Democracy and the Protection of Human Rights across Southeast Asia

The papers in this volume reveal a fragmented and shifting state of democracy in the region. From a comparative politics perspective, Peou surveys the eleven political regimes of Southeast Asia and shows that they include "undemocratic states" under military rule (Myanmar) and under monarchical rule (Brunei); states with one-party, communist systems (Laos and Vietnam); "more democratic" countries that maintain hegemonic-party regimes, but that are not liberal (Singapore, Malaysia and Cambodia); and four that can be considered unconsolidated "liberal democratic" states (Indonesia, Thailand – until May 2014, the Philippines and Timor-Leste). Peou shows that a single explanation of regime change and continuity in the region from the existing perspectives – culturalist, modernist, economic and in terms of the impact of civil society – cannot encompass the diversity of regimes in the region, some of whose political systems are still heavily influenced by military involvement. In terms of commitment to liberal democratic values, Davies categorises the countries as follows: "progressives", comprising Indonesia and the Philippines, which to varying degrees have embraced democratic liberal norms domestically and whose political systems are defined by political pluralism; "cautious", comprising Singapore, Malaysia and Thailand, which, whilst ensuring that rule of law prevails, consistently show considerably more reluctance to embrace global standards, especially of the civil and political variety; and "the recalcitrant", comprising the five newest members, Cambodia, Laos, Myanmar, Vietnam and Brunei.

Overall, what these classifications demonstrate is that in Southeast Asia, the facts “on the ground” suggest a lack of shared democratic identity/values among the countries in the region no matter how analysts endeavour to label them. One factor that could contribute to the establishment of liberal democracy – or at least a “more free” society – is the development of civil society. Peou raises this in his consideration of theoretical explanations of regime types in the region, but he concludes that there is little evidence that civil society has made such a difference.

Amidst this diversity of governance regimes, Gomez and Ramcharan examine human rights protection in the region and survey the three types of discourse on human rights – statist discourse, civil society discourse and discourse among intergovernmental organisations. Their survey of prevailing statist discourse shows a resolute resistance, as ultimately expressed in the ASEAN regional human rights regime, to the liberal democratic rights tradition. Out of this contestation, Gomez and Ramcharan note, a “culturally unique”, elitist and predominantly “promotion”-based human rights regime is emerging – one that does not conform to international standards of “protection” as practised in liberal democracies. There is no doubt, as Gomez and Ramcharan note, that the ASEAN human rights regime is a construction of the incumbent political elite of ASEAN. The final, weak regional “protection” regime that was adopted, despite the best efforts by global and local civil society to influence the process, begs the question of why the more “liberal democratic”-minded states in ASEAN lacked the necessary influence to produce a stronger protection regime. More important, why, given ASEAN’s membership in key intergovernmental organisations and its participation in the corresponding processes, is there still such weak alignment among ASEAN countries with international standards, in which liberal democratic standards and the rule of law are integral?

ASEAN’s ability to improve its liberal democratic credentials is discussed by Radtke, who examines Myanmar’s relationship with ASEAN. Radtke examines the positive impact of the enlargement of ASEAN, specifically Myanmar’s accession. She proposes that ASEAN’s normative framework began to change from “purely procedural” norms of consultation, consensus and non-interference towards “constitutive norms” such as political ideology – notably, democratic governance within its member states. At the moment of Myanmar’s accession, norm entrepreneurs, she argues, seized the moment to push for greater democratisation within ASEAN. Enlargement, thus, may be a variable that explains why the provisions on democratic governance and human rights were included in ASEAN’s Charter. Explaining the adoption of a weak human rights

regime despite the considerable diversity of regime types in the region is a daunting task and one that needs to also be reflected upon at the theoretical level.

Davies tackles this question using the approach of the “incompletely theorised agreement”. He critiques realist, constructivist and acculturalist explanations of the ASEAN human rights regime, pointing out that diverging motivations for adopting the regime preclude a simple explanation utilising any of these perspectives. He argues that the Declaration revealed “the weakness of ASEAN’s engagement with rights [due to there being] no shared approach to the importance or value of human rights within the regional organization”. He has noted that the ASEAN Declaration of Human Rights is “perplexing in three ways”, as it “possesses statements of rights far beyond the domestic position some member states have adopted; reawakens the Asian Values debate; and contains a self-limiting clause that undercuts its own provisions”. Ultimately, for Davies, the weak human rights regime represents an “agreement to disagree”.

Variation between the local regime and universal standards is exposed by Rathgeber. After providing a summary of ASEAN member states’ commitments under international human rights treaties, he shows that there is “much room for improvement” beyond the adoption of the conventions on women’s rights and children’s rights. Indeed, of the core nine international human rights treaties, those are the two most popular in the region, whereas other conventions, notably the ICCPR and ICESCR, are not popular. In this context, notes Rathgeber, the Universal Periodic Review (UPR) and the Special Procedures of the UN’s Human Rights Council may be key protection elements for the region, since effective national and regional human rights protection systems are absent. He notes a significant gap between the standards adopted and their implementation. At the level of state institutions, he notes that omissions related to the rule of law are rampant. The regional body is powerless to investigate governments or impose sanctions. The institutionalisation of human rights by ASEAN is ambiguous at best given the practices of member states, as revealed through their engagement in the UPR.

In sum, the papers in the collection point to a state of affairs in which weaker and less secure states, with authoritarian or military regimes, are not yet comfortable with the push towards a human rights regime that is aligned to international standards.

Regional Dynamics and the Progress of Democracy and Human Rights in Southeast Asia

As noted earlier, the “regional political dynamics” perspective may help to explain the adoption of both democracy as a model of governance and the human rights body, despite the discord that persists. This volume’s papers collectively contemplate the possibility of advancing the domestic democratic transition through the “soft power” of the adopted regional order, though this will depend on the fortitude of the few “star” democracies. It is thus a useful complement to the existing literature on transition to democracy.

A significant body of literature has advanced several theoretical approaches in attempting to explain transitions to democracy (Di Palma 1990; Gill 2000; Haynes 2001; Huntington 1993; O’Donnell, Schmitter, and Whitehead 1986; and Przeworski 2003). While Peou examines these in greater detail in this volume, it is useful to draw on Guo’s succinct review of the broad strands of theory (Guo 1999). Scholars have examined such issues as the “causes of regime change” and the “prerequisites” for transition. They have searched for “objective” conditions and “political strategies and choices” that led to democratic transitions. Guo’s highly accessible categorisation of the scholarship informs us that there are four main contending theoretical frameworks: structuralist, strategic choices, institutionalist and political economy. The structuralists adopt a macro-perspective, arguing that pre-existing overarching socio-economic and political structures are determinant in democratic outcomes. Weaknesses of this approach include its inability to explain why and how elites make choices, and its rather linear approach to democratisation along the lines of “modernisation” theory derived from the experience of industrialised Western Europe and North America, where democracy was accompanied by capitalist economic systems. Moreover, counter-examples from East Asia tend to suggest a non-causal relationship between capitalist economies and democratisation. The strategic-choices approach emphasizes the role of elites and their choices. It privileges the micro-level, the process of transition, democratic crafting, negotiated agreements and the to and fro between hard-liners and soft-liners, and so on. One weakness is its lack of consideration for the broader context and the constraints that it imposes on elites.

Moreover, explaining transitions from totalitarian and dictatorial to democratic systems is rendered difficult given the closed nature of decision-making. The institutionalist approach examines how elites are

shaped and constrained, how regimes are institutionalised, how civil society has participated – as in the case of Eastern Europe – and, in one strand of this approach, how “confining contexts” constrain elite choices. The latter attempts to take into account pre-existing structures. For example, the impact of colonialism in Southeast Asia in its different forms (British, Dutch, French and Spanish), itself authoritarian in nature, may have determined the political evolution of postcolonial states. Philip (2011) listed four directions taken by the governments of former colonies following the end of colonialism, characterised by continuity and democratisation (adoption of democratic institutions of the former colonial power); continuity and non-democratisation (independence from the colonial power without adoption of democratic governance); discontinuity and democratisation (adoption of democratic rule while breaking with the past); and discontinuity and non-democratisation (adoption of parliamentary system similar to that of former colonial power, but with subsequently aborted democratisation).

An interesting research question is whether the contemporary era is a “neo-imperial” one in which the United States and Europe are exporting democracy through structural adjustment programmes and through the “liberal peace agenda” of the international community. One difficulty this approach must contend with arises in situations where political and economic structures are similar but lead to different outcomes, China vs. the former USSR being a case in point. Finally, the political-economy approach privileges the impact of economic conditions on political development. Economic conditions and crises are held to be determinant of a state’s turning away from authoritarianism. The timing and sequence of economic and political reforms are closely examined. It has been argued that economic liberalisation may lead to political liberalisation. Again, East Asia is testing this proposition. Each of these perspectives identifies important but myriad variables and the problem lies in identifying which variable is “the most important variable in explaining the variations in regime transition” (Guo 1999: 143). Guo calls for a multidimensional approach, as “in reality [...] some of the causal factors are structural, some institutional, some political-economic, and others might be mixed” (Guo 1999: 144). This is a wise approach given the diversity of regimes in Southeast Asia, most of which emerged from colonial rule, and which have evolved in different directions politically and economically.

Analysing the progress of democracy in Southeast Asia through a single, unified theoretical lens is impossible given the diversity of values and motivations of actors in pursuing regional human rights strategies,

the complex nature of the security challenges and the fluid geopolitical order in which ASEAN members find themselves. A comparative analysis of the eleven countries in the region unveils the lack of regional consensus on democratic values. While democracy in form has advanced generally, liberal democracy and its attendant rights are still hotly contested. As Peou shows in this volume, no single theory that seeks to explain democratic transitions can adequately explicate the advancement of democratic governance in Southeast Asia, since each country is on a different level in terms of progress on advancing democratic governance.

The adoption of human rights norms by ASEAN, including the attendant basket of fundamental human rights comprising liberal democratic governance, is equally hard to explain from a single theoretical lens, as noted by Davies in this collection. States pursued particular human rights regimes for varied reasons, and only a few (Indonesia, the Philippines and Thailand) appeared to act solidly on the basis of shared human rights values. An institutional driving factor is absent given ASEAN's current powers. A shared sense of fundamental human rights values is not tenable as an explanation given divergent state practices internationally and regionally when it comes to local adherence to and interpretations of universal human rights standards. This is what one Singaporean scholar has termed Southeast Asia's "will to differ" (Tay 1996). The marginalisation of civil society organisations in the drafting stages of the ASEAN Intergovernmental Commission on Human Rights and of the ASEAN Human Rights Declaration (AHRD) is fatal to theories that define non-state actors as central agents of change.

One interesting avenue is the possibility, raised by Radtke, that the regional geopolitical and economic environment provided space for norm entrepreneurs – comprising regional civil society, international institutions and pro-human rights powers (EU and US) – to force ASEAN to alter its normative set-up. Opposition from the international community and international and regional civil society and resistance on the part of some regional states regarding the enlargement of membership in favour of despotic Myanmar provided an opportunity for norm entrepreneurs to signal to ASEAN that the organisation must take a firm stand in favour of democratic governance and the protection of human rights.

The perspective of regional political dynamics and how the adopted "democratic order" socializes members into the new norms requires more complex analytical frameworks than the traditional "straitjacket" approaches of realism, liberal institutionalism and neo-Marxian international political economy. Instead, more sophisticated approaches are

required. Robert Cox, for example, has argued that the production of any given order, global or regional, and its impact on constituent members is the product of the interplay of material, institutional and ideational factors (see Knight and Keating 2010). Such a framework better captures the complex interactions between multiple actors (states and non-states) and their different goals and interests.

Democracy and Human Rights in Southeast Asia Moving Forward

In this vein, explanations of the regional democratic framework and human rights regime in ASEAN must also take into account continuing nation-building challenges and attendant security issues, notably regime security. These clearly remain relevant as intercommunal strife continues, to varying degrees. The 2013 Malaysian elections revealed serious, persistent divisions between ethnic Chinese and ethnic Malay citizens. Insurgency in Thailand evinces strife between Thai Muslims in the South and the Thai state, which is largely dominated by Thai Chinese business elites. In Myanmar, in addition to the ongoing Rohingya issue, more than twenty ceasefires were necessary to bring about a fragile peace as the country charts its future via forthcoming elections and through possible new constitutional arrangements that will guarantee rights for all of its 130-plus minority groups. In the Philippines, a peace process is still being carried out to resolve conflicts with Muslim communities in Mindanao. Similar issues exist in Indonesia and other states in the region. In this general context, regimes with authoritarian tendencies have held sway.

The regional impact of a rising global power, China, must also be taken into account. For example, economic liberalisation as a factor in the advancement of liberal democracy in the West (Zakaria 2007: 15) is being tested in East Asia. This proposition is being tested by China, in particular. Thus its geopolitical influence needs to be considered, as China has ideologically resisted the liberal democratic trend noted earlier. The question of China's political influence over ASEAN countries through its claim over the South China Sea, economic investment in infrastructure projects, private sector-led property-development initiatives, the setting up of Confucius Institutes, the rise of Chinese-language media and the new movement of mainland Chinese people and their impact on all these societies made easier through favourable investment, travel- and retirement-visa regulations are important considerations as the human rights regime evolves in the region.

In this short collection, obviously not all issues can be adequately explored. For instance, the topic of national human rights institutions (NHRIs) is only mentioned in passing in some of the papers. A complementary examination by the editors of this volume of regional NHRIs' capacities to advance the protection of universally recognised human rights will be available in the forthcoming *Routledge Handbook on Human Rights in Asia* slated for 2015. There, they will argue that the AICHR does not have this capacity and that NHRIs are not adequate as protective entities.

The papers in this collection are intended to stimulate further research on democracy and human rights in the region. While engaging with theory, they are also aimed at policymakers, practitioners and students of politics, democracy and human rights in the region and elsewhere.

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