



ASIAN REVIEW

Vol. 32 (1), 2019

ASEAN in the Brave New World

Understanding Southeast Asia in the 21st Century World Order

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ABOUT THE PUBLICATION

Asian Review (ISSN 0957-3662) is a peer-reviewed journal published bi-annually by the Institute of Asian Studies, Chulalongkorn University. It covers academic articles addressing various aspects of Asia including political, economic, social, cultural, and foreign affairs and includes both themed and general issues. Established since 1988, the journal aims to promote scholarship on Asia's past and present and provide an interdisciplinary, English-language forum for research both within and beyond the region. *Asian Review* welcomes the submission of articles based on original research from a wide range of disciplines in the social sciences and humanities as well as review articles and book reviews.

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ASIAN REVIEW
2019

Vol. 32 (1)

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Southeast Asia in the 21st Century World Order**

Institute of Asian Studies
Chulalongkorn University

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ISSN 0857-3662

Published by:
Institute of Asian Studies
7 F, Prajadhipok-Rambhai Barni Building
Chulalongkorn University, Phyathai Road
Bangkok 10330 Thailand

Issue co-editors:
Wasana Wongsurawat
Michiko Yoshida

Senior Executive Editor: Chris Baker
Language Editor: Simon J. P. Wright
Layout: Chris Baker
Cover Design: Sutee Boonla

Printed by:
Chulalongkorn University Press
Pathumwan, Bangkok 10330 Thailand
<http://www.cupress.chula.ac.th>

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Introduction

Wasana Wongsurawat

This issue of the *Asian Review* has been put together in recognition of the achievement and milestone of the Consortium for Southeast Asian Studies in Asia (SEASIA) that has successfully convened two biannual conferences in Kyoto in 2015 and in Bangkok in 2017. The SEASIA, which is made up of thirteen institutions as of today, from nine countries across East and Southeast Asia, is a remarkable step towards encouraging region-based research and cooperation among scholars and institutions of Southeast Asian Studies and related fields.

The establishment of SEASIA itself and its founding objectives carry more than a slight connotation of postcolonial aspirations. Southeast Asian Studies, together with other area studies fields, came into being first in American institutions of research and higher education as a direct product of the Cold War and the expansion of US hegemony into various embattled regions of the world. The first major centers of Southeast Asian research were naturally in leading American universities—Cornell, Berkeley and Wisconsin being a few outstanding examples. Through the decades of the Cold War, research interests and funding started to mushroom across the Atlantic in leading institutions in Britain and continental Europe as well. International academic conferences across the Atlantic began to emerge and welcome research relating to Southeast Asia—from the Association for Asian Studies Annual Conference (AAS) in the US to the European Association for Southeast Asian Studies (EuroSEAS) in Europe and the International Convention of Asian Scholars (ICAS), which has come to be organized alternately in Europe and Asia. Yet, as the conclusion of the Cold War came to pass in the late-1980s and early-1990s and up to the end of the 20th century, the greatest powerhouses in Southeast Asian Studies research appeared to remain in “the West”—making scholars from the region working on their own native region a marginalized group in these American and Eurocentric international conferences.

Successfully establishing and sustaining an active network of Southeast Asian Studies scholars based in the region in the form of the consortium, and the accomplishment proven by its two conferences are, therefore, a noteworthy progress towards further encouraging regional scholars to research, present and publish from their home base and on their own terms. The theme of this issue of the *Asian Review* demonstrates the needs and our continued efforts to strive for a new and better understanding of the Southeast Asian region beyond the colonial and neo-colonial frameworks of the 19th and 20th centuries. There are many more aspects of Southeast Asia that need to be freed from the rigid narratives of the nation-state—a concept that was largely formed through colonial history and later shaped and influenced by Cold War politics throughout the 20th century. The five articles presented in this first edition of this special issue reflect the development of the history of the people and states in the Southeast Asian region that challenge the old frameworks of the colonial and Cold War narratives.

Starting with “Recording the past of ‘peoples without history’: Southeast Asia’s sea nomads,” Barbara Watson Andaya explores the possibility of recording and comprehending the history of a nomadic people that dominated the Southern Seas long before the arrival of Western colonial powers and the establishment of nation-states in this region. This article presents a bold move forward to write the history of a people that have been transnational since before the era of the nation-state and continue to defy national boundaries by their very existence even to the present day. So much of Southeast Asia’s history that is independent from the colonial and nationalist narratives are carried down the centuries through the existence of these often neglected transnational people.

The second article, “Civil service and oligarchy: American colonial principles in practice in early 20th century Philippines and Hawai‘i,” by Lance D. Collins investigates how the native populations in the two former US colonies of the Philippines and Hawai‘i differently influence the practices of American colonial administration. This article challenges us to explore the agency and unique identity of Southeast Asian peoples through the colonial period and under a uniform practice of colonial principles.

Paul Carter explores another unique event in Southeast Asia under US influence in the Cold War period in the third article of this issue, “How Thailand defeated Communism.” How is it possible that one of the most disastrous defeat of US military force in the 20th century be understood as a victory against the communists from the perception of Thailand—one of America’s most important allies in the Cold War in Southeast Asia? Carter’s article demonstrates how the Second Indochina War could be understood from a completely different angle from the perspective of neighboring regime and native of the region, the Kingdom of Thailand and her cooperative strategy vis-à-vis the US during the Cold War period.

The fourth article in this collection, “Dealing with diversity: State strategies on ethnic minority management in Southeast Asia,” by Matthew David D. Ordoñez, Hansley A. Juliano, and Enrico Antonio B. La Vi?a explores the post-Cold War strategies of Southeast Asian nations in dealing with ethnic minority groups. In this article, we could see the negotiations and compromises between various ethnic groups that have been present in the region since pre-colonial times and national governments that have come into being mostly only after independence and through the political framework and Western influence of the colonial and Cold War eras. How is it possible for nation-states, a foreign concept imported into this region only in the 20th century, to work in Southeast Asia despite the enormous diversity in terms of ethnicity and cultures within this region?

Finally, the last article in this collection, “South China Sea contestations: Southeast Asia’s regional identity and ASEAN’s sustainability,” by Victor R. Savage investigates the possibility of sustaining a homegrown Southeast Asian international cooperation network among the member states of ASEAN. Once the region has survived the eras of the external dominance in both the colonial era and throughout the Cold War, is it possible to finally establish a regional identity based on the independent and sovereign status of each member state and could this network of cooperation become strong enough to sustain the “Unity in Diversity” of the Southeast Asian community in the context of rising contestations over the South China Sea? What could be ASEAN’s future amidst the rising tensions between the two superpowers of the 21st century—the People’s Republic of China and the United States of America?

It appears that the history of Southeast Asia is one of constant struggle—struggles against colonial domination, struggles through ideological conflict of the Cold War, and struggles to have its own independent narrative as a region of independent people and sovereign nation-states. Yet, with these seemingly endless struggles, the story of Southeast Asia also appears to be one of overcoming tremendous obstacles and of achieving great unity despite what appears to be an impossible diversity of peoples and cultures. We hope that this SEASIA special issue of the *Asian Review* could convince our readers of the great importance and urgent need to support research and academic network within our own Southeast Asian region, in order to identify and produce a more comprehensive perspective of Southeast Asian Studies which will allow us a better understand our own region by the very people who live and thrive here.

Recording the past of “peoples without history”: Southeast Asia’s sea nomads

Barbara Watson Andaya

ABSTRACT—This essay has been developed from the conviction that scholars of all disciplines, particularly from Southeast Asia, must work together to prioritize the task of recording the traditions of “marginalized peoples” before practices, beliefs and memories disappear completely. Although anthropologists dominate contemporary studies, historians have much to offer, especially in dealing with the relationship between such groups and the state. Here I provide a background to historical work on sea peoples, tracking the evolution of the now accepted view that, traditionally, they were respected by land-based states and that this relationship was mutually beneficial. However, the demise of reciprocity combined with state pressure for the adoption of a sedentary existence led to a decline in regard for the maritime skills of sea peoples and the services they once provided. In seeking to resurrect a past that emphasizes indigenous agency, there is a need to break out of disciplinary confines and develop methodologies and approaches that more effectively link the past with the present.

Key words: Sea people, historiography, state, marginality, “watery Zomia”

Introduction

The social patterns and lifestyles of sedentary lowland communities, so often contrasted with groups who live at the margins of the state, has been described as “one of the basic features of the social landscape of Southeast Asia and adjacent regions in East and South Asia.” (Jonsson 2005, 5) Since the Second World War, which marks the slow end of colonialism (apart from Thailand), anthropological studies across the region have shown how the lives of upland groups, forest dwellers

and sea peoples have been fundamentally affected by religious conversion, economic development and state policies that seek to assert greater authority over territory and subjects. Until relatively recently, historians have been less involved with the study of “marginalized peoples” because they depend so heavily on documentary sources that privilege major political and cultural centers. Yet increasingly, research that highlights Southeast Asia’s incorporation into world history is recognizing that all these “people without history” were intimately involved in the far-reaching changes that have accompanied economic and religious globalization from the 15th century onwards. Historians have given greater attention to groups living well beyond the major political centers, investigating how they responded to the effects of change and the ways in which these developments influenced their position within larger states. (Andaya and Andaya 2015)

The current essay tracks the trajectory of historical research on the sea peoples of maritime Southeast Asia. Placing the discussion in a wider framework, it begins by reminding readers that the shift away from “center-oriented” histories of Southeast Asia to studies of communities located at the margins of state control has itself an academic evolution. It is also important to remember that the chronology of documenting change among such groups is shallow, since before the 15th century references to people beyond the areas of core authority are rare. The textual references that exist, however, do offer a glimpse of how land-based societies viewed those who lived outside the cultural mainstream. For example, during his visit to Cambodia in the late 13th century Zhou Daguan remarked on the social hierarchies between the lowland, sedentary Khmer and semi-nomadic upland groups (whom he said were generally known as “Zhuang”). It was these “savages” who supplied most of Angkor’s domestic slaves, and people from upland areas were “so despised that if there is a quarrel between two city dwellers, it only takes one of them to be called Zhuang for hatred to enter into the marrow of his bones.” (Zhou 2007, 59) In a similar fashion, old Javanese texts refer to “impure” people who were regarded with contempt because they “eat what is considered unclean,” while Chinese visitors to Java spoke of “ugly” individuals with tousled hair and bare feet who consumed “snakes, ants, and all kinds of insects and worms.”

(Robson 1995, 139 ; Huan and Mills 1970, 93) In combination with lifestyle, religious differences could also mark a cultural boundary and a 15th-century text from Chiang Mai views Animist upland groups who remained outside the Buddhist community as *milakkha*, a Pali equivalent to the Sanskrit *mleccha* or savages. (Swearer and Sommai 1998, 38-39)

As this essay will demonstrate, we must be careful in assuming that such attitudes were regionally characteristic in pre-modern times, for both legendary accounts and written sources supply evidence of continuing and valued connections between governing elites and groups whom contemporary scholars often describe as “stateless.” (Scott 2009, 10 ; Reid 2015,49-52) Nonetheless, the historiographical shift by which academics began to discuss such people with greater respect was hardly swift. In the 19th and early 20th centuries the first generations of ethnologists, largely preoccupied with issues of evolution and ethnic hierarchies, were not at all averse to using terms such as “primitive” or “savage.” For their part, historians were equally ready to adopt the conceptual hierarchies expressed in documents emanating from centers of cultural and political power, be they European or indigenous. Yet as Southeast Asia emerged as a regional field of study after World War Two, we can trace a slow trajectory that shows how scholars began to consider alternative ways of viewing the relationship between “peripheral” peoples and evolving state structures. Social scientists, involved with communities targeted by government development programs, have been instrumental in this shift. It is thus not surprising that anthropologists have dominated research on people living at the “margins” (a term often incorporated into titles of books and articles). (Duncan 2004; Alexander and Wadley 2006) Much of this research has concentrated on the adverse effects of governmental “modernization” policies and has stressed official disdain for the rights or well-being of minority peoples. Against this background, James Scott’s 2009 publication, *The Art of Not Being Governed*, mounted a trenchant challenge to the victimization model, arguing that “self-marginalization” and “self-barbarianization” explain the mainland Southeast Asian retreat to highland “Zomia” as groups deliberately sought to distance themselves from the center’s tax and labor demands. (Scott 2009,173) Scott’s material drew heavily from Southeast Asia’s land-based societies

and he had little to say about the application of his model to sea-going boat dwellers, once such a feature of the maritime environment of insular Southeast Asia. Acknowledging that he could have given more attention to the peoples who inhabited a “watery Zomia,” Scott argued that these groups should be regarded as “a seagoing, archipelago-hopping variant of swiddeners dwelling in mountain fastnesses.” (Scott 2009,xiv) He goes on to suggest that their “non-state” option was to “to take to their boats.”

Dispersed on the water, they could evade slavers and states amid the complex waterways of the archipelago while raiding, slaving, and occasionally serving as mercenaries themselves. They were, for a time, to the Malay Sultanate of Melaka, a watery version of what the Cossacks were to the tsarist armed forces. (Scott 2009, 328)

This generalization, while intriguing, merits interrogation and has stimulated a detailed and largely supportive response from a team of anthropologists, including those working on sea peoples. (Bourdier, Boutry, Ivanhoff and Ferrari 2015) Historians and archaeologists have been more skeptical, since the perception of “state avoidance” as an embedded characteristic of sea peoples was probably encouraged by the literature that developed in the colonial era, which referred to the “timidity” of some boat people and viewed those who were engaged in piratical activities as operating beyond state control. (Sopher 1977, 131,145) Prior to the 19th century, however, Scott’s argument that such groups, like their land-dwelling counterparts, sought out “zones of refuge” in order to avoid state incursion is rarely borne out by the historical sources. Indeed, cumulative evidence points to the contrary, showing that both sea-dwelling groups and land-based authorities actively cultivated mutual connections and that both drew benefits from this association. These benefits only began to decline in the 19th century. The historiography of sea peoples in Southeast Asia thus presents a telling example of the need to locate any contemporary study in a chronological framework.

The historiography of sea peoples

When did historians of Southeast Asia begin to direct their attention to societies “beyond the state”? In 1955, when most Southeast Asian countries were asserting their new independent status, the publication of Jacob van Leur’s 1940 collection of essays, belatedly translated into English as *Indonesian Trade and Society*, urged historians to adopt a new view of Indonesian history. No longer could this history be surveyed from “the deck of a ship, the ramparts of the fortress, or the high gallery of the trading house.” (van Leur 1955, 261) In the same year the first volume of Bertram Schrieke’s *Indonesian Sociological Studies*, which included material written thirty years earlier, also appeared in English and conveyed a similar message – that Indonesian history should be viewed in terms of a continuum rather than treating the period of Dutch control as identifiably separate. (Schrieke 1966) Though many historians of Indonesia could have read these books in the original Dutch, the impact of the English translations is evident in John Smail’s classic 1961 article, with its call for an “autonomous history” of Southeast Asia that would give more thought to indigenous agency. (Smail 1962, 72-102) The following year Harry Benda’s article talked of the value of regional generalizations but, with a prescient sense of future trends, he also referred to the need to move away from “national” histories and study “the area’s constituent parts and sub-parts.” Indeed, this was a theme constantly emphasized by another major influence on Southeast Asian historical writing, O.W. Wolters. “Whether in Indonesia or elsewhere,” he wrote, “the locality or sub-region should remain the focus for studying history.” (Benda 1962, 106 ; Wolter 1982, 51) Implicit in this comment was the belief that the experiences of communities located at the peripheries of state authority could make a significant contribution to regional histories. Despite the fact that historians are textually oriented and despite the fact that (as linguist, Tom Hoogervorst, remarked), “the earliest available textual sources on the region contain references to maritime communities,” historical and comparative studies of sea peoples have been slow to develop. (Hoogervorst 2012, 245-265) Expressing some sympathy for the historian’s dilemma, the anthropologist Cynthia Chou

acknowledged the “scattered” nature of the documentary sources and references that merely “speckle the time chart.” (Chou 2006, 246) It is significant that overviews of the historical literature relating to “aquatic peoples” are typically divided into specific areas—the Orang Laut of the southern Melaka Straits, the Moken/Moklen and Urak Lawoi’ (meaning Orang Laut) of the northern Straits and the Bajau Laut of the Sulu Archipelago and eastern Indonesia.

(Chou 2010, 50-58) Even comparative overviews are organized in terms of these geographical subdivisions and there appears to be a scholarly consensus that it was (and is) difficult to create a general history of sea peoples as a distinctive group that shares features in common. Though frequently used, the very term “sea nomads” is problematic, since it is clear that from very early times that some sea peoples may have been mobile but that they also maintained bases on land. (Bellina, Favereau and Dussubieux 2019,105) Opinions regarding their occupations also differ. Various individuals, such as the Spanish Jesuit Francisco Combés (1620–65), the Flemish gem trader Jacques de Coutre (1572-1640), the Dutch minister François Valentijn (1724-1726) and the English captain and explorer Thomas Forrest (1729–1802) stress the piratical nature of the sea peoples and their “treacherous nature.” (Combés 1903,103-5 ; Peter and Roopanji 2014, 77-8 ; Combés 1727, 66-67 ; Thomas 1779, 374) On the other hand, they could be described as helpful purveyors of food items and knowledgeable pilots. Historical sources also show that there were marked differences in social organization between the small kinship-based groups described by de Coutre and (according to Combés) the hierarchical political structures of the Lutaos (thought to be from “laut” or sea) in the southern Philippines. (Borschberg 2014, 77) Furthermore, historians are acutely aware that early commentaries are not necessarily reliable and we should not assume that these documents reflect personal knowledge of the lives of mobile and elusive sea nomads. For example, in compiling official reports, shore-dwelling Dutch East India Company (VOC) administrators often found it convenient to draw on information already to hand, even if it was no longer current. In his much-cited *Oud en Nieuw Oost-Indiën*, Valentijn’s account of the Bajau of northern Sulawesi thus reproduced a number of comments included in reports produced nearly fifty years earlier. The first of

these reports was submitted by a VOC minister, Jacobus Montanus (a Latinized version of van den Berg), who had visited Manado in 1675, but may himself have been relying on informants rather than his own experience. The second was compiled by Governor Robert Padtbrugge following an inspection tour of northern Sulawesi in 1677. Following the same pattern, the 1669 account of sea people in the Sulawesi region by the VOC governor of Makassar, Cornelius Speelman, was repeatedly tapped by his successors when they compiled their own submissions. (Sopher 1977, 300 ; Nolde 2014,42-3 ; Noorduyt 1983, 96-121)

Nineteenth-century accounts by colonial scholars, journalists and officials represent a rather different genre, for their observations on customs, beliefs and legends of the sea peoples were typically based on their own observations. However, this also meant that comparative overviews were constrained by national interests and linguistic limitations. British accounts of the Orang Laut, such as the articles published by the Singapore-based editor, James Logan (1819-69), focused on the Melaka Straits, but British reports and academic works largely overlooked information about the Orang Laut compiled by Dutch officials such as Count L.C. von Ranzow, Resident of Riau, between 1822 and 1826, Eliza Netscher, Resident of Riau, 1861-7 and J.G. Schot, who had been a controleur in Sumatra. The British rarely looked eastwards to the Bajau of northern Borneo, much less eastern Indonesia, which lay within Dutch territory, while the Dutch themselves did not track Bajau activities in the Sulu zone. (Verschuer 1883 ; Andaya 2006) Overall, colonial investigations into the activities of sea peoples were primarily generated by their reputation as pirates and European interest appears to have faded when piracy was brought under control in the latter part of the 19th century, except for passing notices. (Skeat and Ridley 1969, 247-250; Chou 2010, 53-58) In the historiography of sea peoples, notes Cynthia Chou, “a long period of silence followed the colonial administrative reports.”(Chou 2006)

Nonetheless, incentives for historical research were on the horizon. Armando Cortesão’s 1937 discovery of the long-lost manuscript of the *Suma Oriental* by Tome Pires, found in the Archives of the Chamber of Deputies in Paris, was a major historiographical breakthrough because it accorded the sea people, the “Selates” (from Malay selat, meaning

Straits), such prominence. Through negotiations with the Hakluyt Society, Cortesão translated and edited this two-volume work, which was published in 1944 but only became generally available after World War Two. (Cortesão 1944, xiii-xviii) One can thus understand that it took some time to attract academic attention but in his 1947 review, J.V.G Mills described the *Suma Oriental* as “ the most valuable and comprehensive description of the East in his time ... of the greatest historical importance.” (Mills 1947, 226-7) Four years later its value was similarly acknowledged in an article on early Melaka written by R.O. Winstedt, who specifically commented on this “new discovery.” (Winstedt 1948, 726) Yet it was not a historian but a geographer, David Sopher, who first exploited the work (which he describes as “an unparalleled source, only recently published”) to reconstruct the past of Southeast Asia’s sea peoples in his 1954 UC Berkeley dissertation. (Sopher 1977, 319) Though João de Barros had certainly described the Orang Laut role in the founding of Melaka in his *Da Asia* (published in 1553), it was the *Suma Oriental* that highlighted their importance in the maintenance of state authority in the Melaka Straits. In addition, while the information made available in this publication marks a milestone in historical understanding of the Orang Laut, Pires also accorded the sea peoples of eastern Indonesia, the Bajau, considerable attention, though Sopher pointed to the lack of clarity in these references and the apparent confusion with seafaring Bugis. (Sopher 1977, 323-5 ; Gaynor 2016, 40-4)

Over a decade passed before Sopher’s dissertation was published in 1965, but the 1960s saw a considerable advance in understanding the historical role of sea peoples, especially in the Melaka Straits. Rarely mentioned in the context of “sea nomad studies,” Paul Wheatley’s *Golden Khersonese*, which appeared in 1961, gave a deeper history to the “corsairs” so often mentioned by Pires. (Wheatley 1961) Excerpts from early Chinese records show that the first reference to Orang Laut raiding appears in the 5th century, when the Chinese pilgrim Faxian described the seas around Singapore as being “infested with pirates, to meet whom is death.” (Wheatley 1961, 38) Later sources, like one from the 13th century, talk of fleets of “two or three hundred pirate prahus” operated by men who were quite willing to butcher the crews

of ships they had pillaged. (Wheatley 1961, 82) Understandably, Chinese observers did not realize that these “pirates” were working in tandem with land-based overlords in a mutually beneficial arrangement by which booty was shared and sea-lanes monitored. Their ability to supply the marine products in such demand on the internal market was also a key element if any ambitious harbor chief wished to lure overseas traders, especially those from China. The emergence of Srivijaya on the east coast of Sumatra is dated to the 7th century and because of their dual role as reliable collectors and loyal guardians, the Orang Laut became, as Wolters put it, “the Maharaja’s maritime subjects par excellence.” (Wolters 1970, 9-10)

By the time the entrepôt of Melaka was established, sometime before 1403, the pattern of partnership between Orang Laut and coastal rulers was well established. Because of their relatively large numbers and maritime skills, the Orang Laut were an essential ally for Melaka’s kings and their cargoes of sea products were vitally important in attracting the traders who provided the town with so much revenue. (Cortésão 1944, 233; 467) They patrolled the seas to warn of impending danger, to bring traders to port and to harass the shipping of Melaka’s rivals. According to Pires, the first ruler of Melaka had ennobled a number of Orang Laut leaders, from whom “all the mandarins” [fidallguos, nobles] of the Melaka area were descended. (Cortésão 1944, 233-8; 469 ; Andaya 2006, 194-198) The position of Laksamana, head of the fleets, may well have been given to men with Orang Laut connections. (Andaya 2006, 196) Under such leadership, sea-going communities acted as an arm of the state, their skills harnessed to make approved attacks on trade vessels and deliver captured cargoes, or a percentage of these cargoes, to the center. When Europeans reached the region in the 16th century, they described the latter practice as “piracy,” although it was little different from Portuguese and Dutch attacks on the shipping of rival nations or indigenous vessels, regarded by most Europeans as a permissible commercial venture even when no war had been declared. (Borschberg 2002, 59-72) Nineteenth-century appreciation of this long-standing practice was provided in Nicholas Tarling’s *Piracy and Politics in the Malay World*, which appeared two years after the publication of *Golden Khersonese*. (Tarling 1963) Though written

primarily from a British perspective and although the relevant Dutch archives were not tapped, Piracy and Politics collated evidence showing that the collaboration between “pirates” and their overlords on land was a mutually beneficial and centuries-old arrangement. Since booty and captured crews were shared, piracy became incorporated into the government structure and was “intrinsic” to state revenue. (Anderson 1997, 87-105) This context helps explain the well-known response of Singapore’s Sultan Hussain to Stamford Raffles: “Piracy is our birthright, and thus brings no disgrace” (Merompak itu sudah pusakanya. Sebab itu tiada menjadi ‘aib). (Sweeney 2006, 385)

Meanwhile, in the Netherlands, the *Suma Oriental* had attracted the attention of the Dutch archivist, Mrs. M.A.P. Meilink-Roelofsz, and her dissertation, translated into English, was defended as a published book at the University of Amsterdam in 1962. Though, as the title indicated, it was essentially a history of trade, Meilink said that she was “inspired” by the writings of Van Leur and Schrieke and she certainly made reference to the “seafaring people” described by Pires. (Meilink-Roelofsz 1962) From a historiographical viewpoint, it is intriguing that her book coincided with the publication of Benda’s article because he had specifically noted “the vast archival resources” regarding the operations of the Dutch East India Company, reminding readers that they were both accessible but still largely unexplored. In particular, he stated, “the records of the 17th and 18th centuries should in the years to come yield increasingly solid source materials.” (Benda 1962, 126) With regard to the historiography of sea peoples, his words proved prophetic. Although Dr. Meilink had used VOC sources extensively to reconstruct patterns of early trade, there had been little interest in what we now term the “early modern period,” in part because historians were preoccupied with nationalism and the creation of independent states. However, the call to focus on sub regions did not go unanswered. Five years after Sopher’s study appeared in print, Leonard Andaya, a student of O.W. Wolters, began research on his thesis. His study of the kingdom of Johor in the 17th and 18th centuries, linking the information provided by Pires and other early writers with VOC documentation and Malay texts, detailed not only the economic importance of the Orang Laut as collectors of sea products but also their close relationship to

Melaka's dynastic line. (Andaya 1975) In subsequent years a number of other studies of specific areas along the Straits provided additional information about the relations between ruling houses and the Orang Laut and their changing fortunes in the Straits of Melaka. (Andaya 1993 ; Barnard 2003 ; 2013 ; Mozaffari-Falarti 2013 ; Andaya 2006) They reaffirmed not only that the Orang Laut were key components of economic and political structures (for instance, in Siak, Kedah, Jambi and Palembang), but that their raiding was normally carried out in collaboration with authorities on the land. Although a strong state could call on loyal Orang Laut to bring to book any of their fellows who attempted to branch out with independent sea-raiding activities, they could easily drift away if the center failed to provide the expected rewards or if traditional fidelities were somehow severed. Indeed, following the murder of the Johor ruler in 1699 and the accession of a new regime, many Orang Laut opted to place themselves under the rulers of Perak or Palembang. (Andaya 1993, 126) Yet ties of allegiance could often overcome economic disadvantage. In the early 18th century, as Jambi's fortunes declined, representatives of the new ruler of Johor tried to persuade Jambi Orang Laut to transfer their loyalty "asserting that they would be better off under Johor than they would be if they remained under their own ruler." Despite the parlous state of the Jambi economy, the Johor enticements were unsuccessful. (Andaya 2013)

From the 1970s references to the Orang Laut have become standard in all publications dealing with Southeast Asia's maritime history but scholars also began to investigate the changing connections between sea peoples and the state as European influence increased. In 1979 another student of Wolters, Carl Trocki, published a revised version of his Ph.D. thesis on the founding of the new state of Johor in the early 19th century. (Trocki 1979) Prince of Pirates provided a telling example of the ways in which an indigenous ruler responded to European pressure by settling Orang Laut on land in order to break their connections with "piracy." European aversion to nomadic life styles, especially when maritime borders were being carefully negotiated, was also evident in Borneo. James Warren is best known for his work on the Sulu zone but in an earlier study he explored the policies of the North Borneo Company, which were aimed at relocating the seafaring

Bajau and compelling them to become “law-abiding” subjects. Specific regulations regarding taxation, licensing and resettlement finally forced the Bajau community in these waters to settle on land and seek other forms of subsistence and thus brought about lasting changes in Bajau society. (Warren 1971)

The heavy reliance on European documentation, however, raised the question of access to local sources and the challenge of seeing events from an indigenous perspective. Even in 1964, when reviewing Tarling’s *Piracy and Policies*, Michael Swift referred to what was then a “hot topic,” the question of Euro-centrism, expressing regret that Tarling had not paid more attention to the pirates themselves. As a possible source, he mentioned the *Tuhfat al-Nafis* (The Precious Gift,) by Raja Ali Haji, which had been known to scholars since the late 19th century, but had been little used in historical research. (Swift 1971, 109-111 ; Matheson 1971, 375-392) Swift’s point was well-taken, for this text supplies the most sustained information about the Orang Laut of the Riau-Lingga archipelagos. It shows that during the 17th century, and for much of the 18th, the Orang Laut were critical to the functioning of the Johor kingdom. In the opening pages the author, Raja Ali Haji, thus chose to invoke the legend of Badang, (Matheson and Andaya 1982, 13) an Orang Laut leader whose exploits had been recorded in earlier texts and whose strength was due to his supernatural powers. Mention of the rakyat laut, the sea people, recurs through the text, with references to their support during succession disputes and their role in patrolling the seas and as the first line of maritime defense. Although Orang Laut leaders were rewarded with titles and presented with gifts, Malay rulers at this time never sought to restrict their nomadic traditions or incorporate them into a formal court-based structure, and their relationship was based on a long history of reciprocity and mutual benefit. Put simply, the use of force over highly mobile people was not an option. There is no way that Orang Laut from islands like Siantan could have been compelled to render tribute to the Malay kingdom of Riau-Lingga, and their willingness to die in its defense during the Dutch attack of 1784 attests to a long history of beneficial interaction. (Matheson and Andaya 1982, 170 ; 219) A generation later, faced by a threatened Dutch attack on Riau, it is the sea people who are called together to

prepare their ships and make ready their ammunition. (Matheson and Andaya 1982, 223)

It is equally evident that the European campaign to eliminate piracy could not have been accomplished without Orang Laut responsiveness to their overlord's commands. In 1823 a representative of the Sultan of Riau even went to Batavia with Orang Laut leaders so that they could confess their involvement to the Governor-General and make a formal promise to co-operate in combatting piracy. According to the *Tuhfat*, the root cause of continuing raiding in the Melaka Straits in the 1830s, was the presence of Ilanun raiders from the southern Philippines, "who were not Johor sea people but were of another race... This was the reason they dared to rebel against His Majesty." Those Orang Laut who joined the Ilanun had been coerced or lured by false promises of rewards. Furthermore, says Raja Ali Haji, their dispersal was not due to oppression by the state but to the harsh treatment inflicted by maverick princes and roving marauders. From his point of view, the land-based authority on Riau was a stern but fair overlord. On the island of Karimun (an Orang Laut stronghold), for instance, the new Riau-appointed head, Raja Abdullah, "brought together all the Karimun people who had been scattered far and wide. He paid the debts of all who owed money and ordered them to return to Karimun; ... for several months he spent money to re-assemble the people. Gradually they gathered, as he governed them justly." (Matheson and Andaya 1982, 219, 223, 243-4, 262-3, 269, 286-7) Raja Ali Haji's sympathetic attitude to the Orang Laut was very different from that of Munsyi Abdullah, scribe to Stamford Raffles, who described them as dirty, superstitious, little better than animals. (Sweeney 2006, 36)

From the 1980s access to local material that included references to the sea people did progress as more texts became available through publications of original manuscripts, transliteration, translations and digitization, particularly by the Malay Concordance Project. Such texts provide insights that move beyond European stereotypes of shy family groups living on boats or piratical marauders. Noting the reference to sea peoples in the Kedah text, *Syair Perang Maulana*, Cyril Skinner remarked that the role of the Orang Laut in the history of Malay kingdoms "is only now coming to be recognized" (a point that had

been made even more forcibly in Leonard Andaya’s article on “aquatic sea peoples,” published the previous year. (Skinner 1985, 276 ; 284 ; Andaya 1984,34-51) The great Malay epic, Hikayat Hang Tuah, which probably originated in the 15th century, pays tribute to the role of the Orang Laut in defending Melaka, patrolling the seas, providing transport for the ruler and protecting Melaka’s trade. (Andaya 2006, 193) Their role as fighters and warriors is celebrated in other works. The Syair Sultan Maulana, for instance, challenges 19th-century European stereotypes of the sea peoples who roamed the waters of the northern Melaka Straits and southern Thailand as timid and fearful. Here they are presented as fearsome warriors, who could be imagined as heirs to the “raksasas” or ogres of ancient legend. (Skinner 1985, 76 ; Luce 1965, 146 ; Rivers 2003, 101) Joining Thai forces to fight the Burmese, an Orang Laut captain and his crew are praised for their courage and skill in maritime reconnaissance; the same text notes that on another occasion the “smart” (terlalu cekap) Orang Laut captured three enemy Burmese. The poet, himself a participant in the campaign, does not hesitate to express his contempt for the Siamese (which the sea people would have shared), whose crews were happier when close to the familiar shore (sebelah darat ia berkenan). Indeed, the Siamese boats were so poorly equipped and the Siamese themselves deemed to be such poor sailors that “we were shamed to be in the same expedition.” (Skinner 1985, 17; 101, 109, 169, 173, 185, 275)

While transcriptions and translations of Malay texts were becoming more available, anthropological investigation also moved rapidly ahead with research distinguished by field work among sea-dwellers themselves. A 1971 Ph.D. dissertation by Clifford Sather, for instance, picked up the story of resettlement in southeastern Sabah, showing how a sea nomad community was affected by the shift to the land and the social consequences of their adaptation to lives as commercial fishermen and wage laborers. (Sather 1971; 1977) In the southern Philippines H. Arlo Nimmo was similarly interested in investigating the kinds of changes that occurred when nomadic boat-dwelling people like the Sama Bajau moved to houses and embraced a more sedentary life. (Nimmo 1973, 334-345) However, despite a flurry of activity in the 1970s (a period described by Cynthia Chou as a “golden age for sea nomad studies”),

the momentum was not easily maintained. (Chou 2010, 9 ; Pelras 1972, 133-68 ; Fox 1977, 459-465) An overview of research on Southeast Asia's sea people compiled in 1995 by Lioba Lenhart and updated by Cynthia Chou in 2006 certainly acknowledged recent studies by anthropologists. (Lenhart 1995, 245-260) Nevertheless, Lenhart felt that fieldwork among maritime peoples was still "insufficient" and that there was little interaction among researchers themselves. Less than a decade later Cynthia Chou concluded that although the Bajau situation was somewhat better, field research on the Orang Laut was "dismal." (Chou 2003, 7) The point is made more clearly when we compare the published work on Malaysia's Orang Asli with that on the Orang Laut. While Lye Tuck Po recorded 1,715 publications and other documents on the Orang Asli produced between 1824 and 2001, a 2002 book on Tribal Communities in the Malay World contains twenty chapters, only three of which are on the Orang Laut. (Lye 2001 ; Benjamin and Chou 2002) It is not difficult to suggest some reasons. Cynthia Chou, for example, described the problems she faced when researching the Orang Suku Laut of Riau; there were no guides, language studies were completely absent and it was not easy to locate specific Orang Laut sites. (Chou 2009, vii) One can understand that functioning as a "participant observer" in a water and boat-oriented community is challenging for anthropologists, but there are also significant gaps in historical work. For example, although the material for the 19th century is plentiful (while mostly concerned with piracy), we know relatively little of how sea peoples fared under 20th-century colonial rule. One of the traditional duties of the Bajau was the transport of high officials as they moved along the coast, a duty that became part of their herendienst, or statutory labor, under the Dutch. Were they pleased or humiliated, one wonders, when Dutch officials elected to travel by motorboat? (Gaynor 2016, 159-60)

Historians, **comparisons** and contemporary conversations

Twenty years ago, in the revised edition of his 1982 book, O.W. Wolters reminded us that "comparative studies [are] the only justification for regional studies." (Wolters 1999, 235) In thinking beyond the three broad "categories" of sea peoples (Moken, Orang Laut and

Bajau), modern work has taught us the value of an interdisciplinary and comparative approach. Fresh approaches and a rethinking of accepted views can frequently result from drawing connections between sources that originate from different points in time, that are shaped by a specific cultural context or that reflect different academic backgrounds. By the same token, a comparative orientation can also point up the disciplinary silos that often impede interdisciplinary conversations. For example, in 1984 Leonard Andaya revisited the sources used by Sopher, looking particularly at the relationship between “aquatic populations” and coastal polities. (Andaya 1984 ; Hall, Ghosh, Gangopadhyay and Mukherjee 2018, 203-228) On the basis of this evidence, Andaya suggested that it was often the initiatives of sea-dwelling groups that helped transform otherwise minor settlements into thriving commercial hubs. The involvement of Orang Laut in the founding of Melaka is an obvious example but he also cited the case of a 19th-century Bone prince, Arung Baku, who was invited by the Sama-Bajau from the area of Kendari in eastern Sulawesi to settle among them because “he had a good reputation among the various [Sama-Bajau] tribes.” Twenty boatloads of Sama-Bajau followed him, and Kendari rose to become an important trading center. (Andaya 1984 ; Vosmaer 1939, 132-33 ; Sopher 1977, 148)

Because of the time and place of its publication (over three decades ago in a commemoration volume for the University of Malaya’s history department), it was some time before the significance of Andaya’s argument, subsequently developed more fully in his 2006 book, *Leaves of the Same Tree*, was noticed by anthropologists. (Andaya 2006, 173-201) Confirming the view that links between sea peoples and landed authorities were once very strong, two studies by ethno-historians deserve particular mention because they have combined contemporary fieldwork with documentary evidence from the pre-modern past. Jennifer Gaynor and Lance Nolde both worked closely with Dutch archival material but they also collected oral legends and lived and sailed with the Sama Bajau of Sulawesi. (Nolde 2014) They were assiduous in collecting orally transmitted and chanted Bajau memories contained in the poetic verse of *kelong* and *iko-iko*, only some of which have been transcribed. As one old woman told Nolde, “if you want to learn about past times you

must listen to iko-iko. That is Sama history.” (Nolde 2014, 12; 17-18 ; Nuraini 2012, 141-66 ; Gaynor 2016, 126-7) They were able to find manuscript accounts, written in Makassarese, Dutch and Bugis, that had been preserved in archives or were in the possession of local families. (Gaynor 2016, 107-164 ; Nolde 2014, 12-42) Most importantly, they both affirm that, prior to the 20th century, the Sama Bajau not only played a key economic role but also maintained their links to the Makassarese and Bugis court hierarchies as the kingdom’s “muscles and sinews.” (Andaya 1984, 39 ; Nolde 2014) In a field where information is still “sparse and fragmented,” this approach to historical research is a significant step forward. (Abels 2012, 14 ; Nuraini 2012, 141) An especially pleasing contribution to this conversation is the mediation of archaeologists. For instance, a recent article has concluded that sea-dwelling groups became intermediaries in facilitating the economies of trading states, and suggests that their mobility may have helped in the diffusion of aspects of material culture, such as decorated pottery styles. (Bellina, Favereau and Dussubieux 2019, 105) It is equally encouraging to see that historical findings are supported by the scientific analysis of genetic and linguistic data from various Bajau groups, whose genomic ancestry reveals a long history of miscegenation that enabled them to maintain their own culture even as they became part of a unique “maritime creolization. (Kusuma 2017, 1004–1010)

Any expansion of interdisciplinary conversations thus has the potential to raise new and intriguing questions that can stimulate further research. At the basic level, one might ask how it was that sea peoples developed the remarkable aquatic abilities marking them off from land dwellers. As early as the 12th century a Chinese account especially mentioned the “variety of wild men from near the sea which can dive in water without closing the eyes.”(Hirth and Rockhill 1966, 62) In a similar vein, Munysi Abdullah expressed his amazement at Orang Laut diving: “they jump into the sea like a fish and disappear from sight for half an hour. They then reappear, one or two hundred depa (around 360 meters) from where they jumped.” (Sweeney 2006, 364) While the British engineer, John Thomson (1821-84), a man with considerable experience of Singapore waters, dismissed this description as an example of “oriental hyperbole,” he acknowledged that the Orang Laut

were “expert divers.” Fifty years later another observer was amazed to see the way in which the Moken (“splendid divers”) could use a “corkscrew motion” of the hands and feet to descend to the ocean floor, which lay five fathoms below. (Thomson 1874, 105 ; White 1922, 171)

In contemporary times scientists are helping historians to better appreciate the acquired skills and biological adaptations that enabled sea peoples to function in their maritime environment. Anna Gislén from the University of Lund, who has been working with the Moken of southern Thailand for almost two decades, has supplied an explanation for the underwater vision that helped sea peoples collect the marine products that in past times were so desired on the international market. Her team has demonstrated that the visual acuity of Moken children is facilitated because their “terrestrial eyesight” is adjusted by maximally constricting the pupil, an acquired skill that can be “taught” to others. (Gislén et al. 2003, 833-36 ; Gislén et al. 2006, 3443-50) Likewise, international attention has been drawn to a research project headed by Melissa Ilardo, which has shown that natural selection among the Bajau (and presumably other sea peoples) has resulted in genetic variants that have increased the size of the spleen. This provides a larger reservoir of oxygenated red blood cells that allow “breath-holding” divers to remain under water for extended periods of time and reach depths of up to seventy meters. In consequence, the Bajau can spend about the same work time beneath the water as marine animals such as the sea otter. (Ilardo 2018, 569–580 , Ilardo 2018)

These projects, undertaken by specialists in the biological sciences, obviously pursue different lines of inquiry from their colleagues in the humanities or the social sciences. A further widening of cross-disciplinary and participatory conversations could involve the voices of sea peoples themselves as a means of conveying some sense of how they relate to the waterworld that is their home. For example, land-dwellers have long been ambivalent about moving into the underwater environment and for many it remains a domain where innocent divers can be caught in a powerful downcurrent or fall victim to an unexpected attack by some predatory sea creature. (Andaya 2019) In tropical waters sharks were thought to pose a particular problem, moving the poet John Keats (ignorant of the practice of employing shark charmers) to

lament the sacrifice of Ceylon divers, who in search of pearls held their breath and “went naked to the hungry shark.” (Andaya 2019, 9) In the late 19th century, however, one Orang Laut was reported as saying that “We Orang Laut are not afraid of sharks. I have never known an Orang Laut to be taken by one, though our occupation leads us constantly into the water ... sharks are our brethren.” (Thomson 1874, 112 ; Andaya 2019, 9) A special relationship with other marine creatures, which could include those hunted for food, is a feature of sea-oriented societies, where boundaries between human and marine animals dissolve and where the “shared personhoods” of hunter and prey may become one. (McNiven 2019, 215-30) As Andar (an Indonesian Bajau interviewed in a recent documentary) explained, every Bajau has an octopus twin. “People don’t know which one is their animal twin, but if they spear an octopus and they suddenly fall ill, it means they have speared their twin and they need to perform a ritual.” (Swazey and Colaciello 2018)

For the new field of sensory history, these cultural insights could suggest possibilities of exploring the relationship between the bodies of sea-peoples and the water in which they move so effortlessly. More than a hundred years ago, a description of “sea gypsies” contrasted the Filipino use of diving suits with the Moken preference to enter the water naked. This was attributed to the Moken reluctance to rely on other people, who lowered and hauled them up, and to their association of paralysis of the legs (the “bends”) with wearing diving suits. (White 1922, 107) However, a modern observer might think differently. She or he might wonder, for example, whether the sensation of water enveloping and supporting the unclothed body, including areas that would be covered on land, infused the Moken diving experience with a feeling of freedom from the gravitational pull of landed existence. And, if so, they might ask how such feelings could be captured by academic wordsmiths. Is “a special sense of oceanic solitude and liberty” best conveyed to land dwellers through visual media, as Guillem Valle sought to do in his 2016 photographic exhibition, “Suspensa”? (Morgan 2019) But how would Bajau divers react to a journalist’s commentary that relates the movement of their underwater bodies to their marginalization in national life? “Their poses are serene and balletic but the margins of the images are skirted by a sense of gloom, as the sea around the men fades

to black. They appear suspended as though caught in a gel, a reflection of their precarious state of limbo as a people.” (DenHoed 2016)

Because contemporary studies of marginalized groups often invoke the concept of an ethnic limbo—the reality of which sea peoples are well aware—the complex pathways by which changes in long-standing practices have been navigated merit particular attention. (Swazey and Colaciello 2018) Fast disappearing under the pressure of modernity and the influence of monotheistic religions, traditional beliefs, especially those associated with places controlled by powerful sea spirits, beg for further research. (Chou 2010,87-90 ; Ivanoff 2018,177-288) Yet a historian might point out that the adjustment of rituals and customs linked to the maritime environment, often modified by human intervention, has an extended past. Munsyi Abdullah, for instance, describes the offerings made by Orang Laut to the spirit (hantu) of Batu Kepala Todak, a rock shaped like the head of the swordfish that was linked to Singapore’s legendary history. One wonders how Orang Laut reacted when this rock was “blown up” in 1843 to accommodate military quarters or, five years later, when another spiritually charged site, the Batu Belayar (“sailing stone”) was destroyed to widen access to Singapore harbor.(Rivers 2003, 102-3)

The ramifications of technological change among sea peoples also call for continuing research. For example, Malay descriptions of Orang Laut boats with prows carved in the shape of an ogre (raksasa) or that resemble “a lad created by magic” have resonances with boat symbolism among the Moke but the comparative dimension, as in Sabah, shows how quickly the boat-building heritage can disappear. (Skinner 1985, 77-79 ; Ivanoff 1977 ; Ali and Kon Ling 2008, 33-49) In the 17th century the Orang Laut of the Melaka Straits were armed with poisoned daggers and spears made of wild palm that could be thrown so hard “that they can penetrate an iron breastplate and any shield no matter how sturdy they are.” (Borschberg 2002, 79) To what extent does greater access to a monetized economy and the ability to simply purchase metal spearheads and nylon fishing lines undermine older beliefs that fishing gear is imbued with supernatural power? (Chou 1997, 621)

Connecting the past more forcibly with the present will help to historicize the processes of change as sea peoples are encircled by the

nation state and must deal with the expectations of dominant cultures. A “documentary-like” film of Bajau produced in the southern Philippines seventy years ago may have used well-known actors in the primary roles and the script may have been in Tagalog, but it addressed Bajau grievances that remain relevant today, such as entitlement to the resources of the sea. (Toohey 2005, 281-312) In foregrounding Indonesian Bajau themselves, a recent documentary, “Our Land is the Sea” (Air Tanahku), directed by Kelli Swazey and Matt Colaciello, clearly articulates the sense of loss felt among the older generation in a Bajau community in eastern Indonesia. Widespread conversion to Islam, the prohibition or decay of many traditional rituals and the decline of a fishing economy have so separated modern Bajau from their descendants and so changed the relationship with the sea, that for some the very essence of “Bajauness” is disintegrating. (See above, fn. 88)

A key element in this cultural change is the extent to which the adoption of “modern” influences has affected the aural and oral legacy. In a presentation at Monash University in January 2015, for instance, Cynthia Chou noted that “music” among the Orang Laut now typically refers to Western-style contemporary songs (lagu pop) and hymns (lagu gereja). (Chou 2019) Bajau knowledge of the chanted iko-iko is similarly declining as the older generation passes and as a new generation relegates such performances to a “non-modern” and thus less desirable category. (Nuraini 2012, 163) Yet change itself is opening up new avenues for research. Certainly, opportunities to examine the particular skills and practices associated with sea-dwellers are receding as a more sedentary lifestyle and religious conversion takes hold. Nonetheless, in the 21st century the potential to locate obscure written material, record oral memories and visually capture experiences of the present are greater than ever before. Even more importantly, researchers are now able to partner with sea peoples and share their joint findings with international colleagues and the general public in ways that were never previously possible. (Shapiro 2015, 26-28)

Conclusion

For some anthropologists working in maritime areas, the notion of a “watery Zomia” has been appealing because it projected a past in which sea peoples had deliberately chosen to avoid interaction with the state and had carved out their own independent niches free of state demands or surveillance. Like their counterparts working on “marginal” people in mainland Southeast Asia, contemporary research has tended to focus on the tightening hold of national governments, especially the pressure to abandon a nomadic existence and settle on land. This essay, however, began with a historical perspective. Rather than juxtaposing a depressing present with a past when boat dwellers deliberately distanced themselves from land-based authorities, it has reiterated the findings of historians who have argued for long-standing reciprocal connections. The deterioration of these connections was due to the declining value of sea peoples in collaborative roles as collectors of marine produce, guardians of sea lanes and knowledgeable pilots. Concerned to reinforce national boundaries and to “know” who can be claimed as citizens, the independent states of Southeast Asia have become increasingly intrusive. “Sea nomadism” is now a misnomer as a sedentary existence becomes the norm. In the 21st century, it is said, there are almost no “true Zomians” left in Southeast Asian waters. (Bourdier, Boutry, Ivanhoff and Ferrari 2015, 105) While the descendants of maritime wanderers still live physically close to the sea and maintain a sea-oriented livelihood, questions must be posed about the ways in which future generations will relate to the sea environment.

At the same time, it is worth remembering that change itself is an important part of the historical experience of any community. Cynthia Chou, rather than deploring the Orang Laut preference for lagu gereja, has thus argued that the acceptance of these new artistic forms can be regarded as “sonic bridges” to ideas of modernity. (Chou 2019) A historian of Southeast Asia might also add that in this new present the networks of land-sea connections that have always been part of the maritime environment have been energized by the advent of the cheap cellphone and the unprecedented possibilities of generating ever-growing communities of cultural and economic interaction. In

other words, the study of change is valuable in itself. If researchers are to seize the historical moment and advance the field further, they need to exploit the international connections that technology now makes available and break out of disciplinary confines so that the past can be more effectively linked to the present. Yet any call to action also carries a caveat. Although comparative work will undoubtedly reveal unexpected data, any attempt at regional generalizations should be based on case studies. Only thus can that we appreciate the similarities and the differences in adaptation to specific “watery” environmental contexts and, in so doing, provide the sea peoples of Southeast Asia with an historical agency that they often appear to lack. One can only end with Chou’s telling comment: “Even though great strides have been made ... much more research is required.” (Chou 2010, 10)

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footnotes

1. It would be extremely helpful to have a historical overview of work on other sea nomad groups like that supplied in Cynthia Chou, *The Orang Suku Laut of Riau, Indonesia: The Inalienable Gift of Territory* (London and New York: Routledge, 2010), pp. 50-58.

2. F.H. Verschuer, "De Badjos," *Tijdschrift van het Koninklijke Aardrijkskundig Genootschap* 7 (1883): 1-7; Chapter 6 in Leonard Y. Andaya, *Leaves of the Same Tree: Trade and Ethnicity in the Straits of Melaka* (Honolulu: University of Hawai'i Press, 2006) provides the information collected by these early ethnographers.

3. Nicholas Tarling, *Piracy and Politics in the Malay World: A Study of British Imperialism in Nineteenth-century South-East Asia* (Singapore: Donald Moore, 1963). Tarling did not have access to Sopher's book, which had appeared the year before.

4. Briget Abels, "Introduction," in *Oceans of Sound: Sama Dilaut Performing Arts*, eds. Birgit Abels, Hanafi Hussin and Matthew Santamaria (Olms: Hildesheim, 2012), p. 14. Nuraini, "Indonesian Bajo history," p. 141 compares the lack of research on the Sama Bajau with that of the Sama Dilaut in the Philippines and Sabah.

5. See above, fn. 88. The village in which these interviews took place is Sampela, located on Kaledupa Island in the Wakatobu National Park in Indonesia's Banda Sea.

Civil service and oligarchy: American colonial principles in early twentieth century Philippines and Hawai‘i

Lance D. Collins

ABSTRACT—This paper surveys the history of the introduction of an American-style merit-principle in the creation of a classified civil service system in the Philippines and Hawai‘i. The paper illustrates how the implementation of the idea of the “merit principle” in civil service and in organizing public workers in the Philippines and Hawai‘i was undermined by opposing forces within the American colonial governing apparatus. The Philippines was an early adopter of the Progressive-era “merit principle” reforms being pushed in the United States proper while Hawai‘i was one of the last—implemented halfway through the New Deal era. This paper attempts to understand why the historical establishment of this type of civil service occurred in entirely different historical legal periods and what the consequences of the historical formation are presently.

Keywords: civil service, public workers, merit principle, colonialism, Philippines, Hawai‘i

Introduction

This paper is a brief, comparative overview of the history of the introduction of an American-style merit-principle-governed, classified civil service system in the Philippines and Hawai‘i. It hopes to illustrate how the implementation of the ideas of the “merit principle” for public workers in the Philippines and Hawai‘i was undermined by opposing forces within the governing American colonial governing apparatus.

I will first describe the history of the development of the merit principle in the civil service in the United States. I will then turn to the Philippines to describe how American colonial officials attempted to develop a merit-based civil service while at the same time undermining those goals by fostering patronage-styled relationships between civil servants and political leaders. In contrast, American colonial of-

officials did not attempt to develop a merit-based civil service in Hawai'i initially. Only when the power of the minority-white sugar plantation oligarchy appeared to be having its power slip from its grasp because of an organized native and Asian working class did the need for a "merit" based system become important. This organized working class, however, extended and rationalized the merit principle while also further strengthening public workers' collective power through the adoption of the constitutional right to collectively bargain.

In describing and analyzing the Philippine civil service, this study attempts to marry two branches of scholarship within Philippine studies. One branch is represented by works like those of Jose N. Endriga and others who analyzed the civil service from a public administration perspective (Endriga 1985, 2001; Reyes 2011; Mangahas and Sonco 2011). The other branch is represented by works of historians and others on the American colonial period such as Patricio Abinales, Michael Cullinane and Alfred McCoy (Abinales and Amoroso 2005; Cullinane 2003; McCoy and Scarano 2010). Similarly, these two branches of scholarship in Hawai'i are even more insular and discrete (Pratt and Smith 2000; Johnson and Miller 1986). There are no published studies which compare this aspect of legal history of the two countries even though both came under the formal control of the United States in 1898.

This study seeks to address why a colonial principle applied to an occupied colonial territory had such seemingly different expressions historically—to provide context for how an idea for uniform legislation can so radically diverge within differing local conditions. The study will also look at the consequences of those differences as they are articulated presently.

American civil service system

The federal civil service in the United States during the first five presidential administrations was characterized by a relatively moderate turnover of employees from administration to administration. George Washington and his successors believed that people must be fit for the jobs they were candidates for and refused family and former soldiers who lacked fitness in his estimation for the jobs they were seeking.

While Jefferson did remove a small number of Federalists from their positions, his administration continued the concept of appointing people fit for office. Washington sought individual Congressmen's and Senators' advice on local appointments and this developed into the customary expectation that Congressmen and Senators decided who would be appointed. There was one push to eliminate Congressional encroachment into appointments by constitutional amendment which failed. Instead, Congress passed a Tenure of Office Act which limited officeholders to four years (Bertelli and Lynn 2006).

The election of Andrew Jackson altered some of the restraints presidential tradition had put on the Congressional expansion of spoils. Jackson had been elected not with the support of the older New England aristocracy but rather by new voters freed from property qualifications in voting and the emerging industrial class (Howe 2007).

Jackson promised a reform of government service but institutionalized the spoils system. Federal employees were selected based upon political support during a campaign or to encourage future support. As US Senator William L. Marcy described it, "to the victor belongs the spoils." Business leaders secured the power of political parties in the electoral process by entangling it with the government jobs process (Howe 2007).

The federal civil service was characterized for the next 50-year period as being exclusively dominated by the patronage system. Jackson's view was that the patronage system was an expression of democratic governance. The pre-Jacksonian order was characterized as an insular and elitist form of governance that restricted the participation of the "common man." The patronage system purported to open up the system (Howe 2007).

By the late 1870s, however, political loyalty was seen as not being a meaningful indicator of competence in public service. Competence was not the only problem. The spoils system lent itself to widespread and systemic corruption. With the major expansion of the federal civil service during and after the Civil War, the lack of competence gave the impression that the civil service was merely a way to reward loyal political supporters and not to perform the tasks of the civil service

itself. This was underscored with the assassination of President James Garfield by a disappointed office seeker (Rohr 1986).

The merit principle is forward looking but it is focused on expectations about future performance based upon an assessment of one's relative merit—typically through competitive examination. The spoils system is also forward looking but it is focused on expectations of political loyalty in future elections not on future job performance.

The merit principle uses competitive examinations (or other forms of merit based evaluations) to determine competence and relies upon those examinations to predict how well potential civil servants will carry out their tasks and responsibilities. The criticism of the merit principle is that it does not address justice and it is not necessarily democratic.

Mechanics of the merit based service in the United States

The merit principle's operation in the American civil service has been subject to a number of attacks that primarily assert that merit principles infringe the powers of the executive to appoint or to terminate. If a constitutional provision requires an officer to make an appointment, the imposition of the merit principle was generally held to interfere with that power. However, all states with the merit principle have constitutional provisions permitting it. At the federal level, the long custom has been that the power to establish an office includes the power to determine its qualifications but that is separate from the power to appoint. William Howard Taft held in *Myers v. United States*, 272 US 52 (1926) that creating qualifications is a valid exercise of legislative power "provided ... that the qualifications do not so limit selection and so trench upon executive choice as to be, in effect, legislative designation."

Classification has two distinctive meanings. The first refers to the dividing of the entire civil service into those subject to the merit principle and those that are not subject to the merit principle. The second refers to the dividing of those jobs subject to the merit principle into those jobs subject to competitive examination and those that are not.

Some civil service systems have a so-called "exempt" class. The exemption may refer to competitive examination, classification or the

entire merit principle altogether. There are several groups that are consistently excluded from the civil service based upon the merit principle: elected officials, legislative officers and employees, department heads, deputies of department heads and confidential employees. Many states traditionally excluded unskilled labor positions from the merit principle. However, this is generally no longer the case.

Civil service systems generally provide an application process in order to determine minimum qualifications such as age, citizenship and other qualities, before a candidate can sit for an examination. Once qualified, most candidates take an examination. An examination is supposed to be practical and relate to the duties of the position which the candidate is seeking. Additional tests are given for the testing of special skills. In order for an examination to be considered competitive, it “must employ an objective standard or measure. Where the standard or measure is wholly subjective to the examiners, it differs in effect in no respect from an uncontrolled opinion of the examiners and cannot be termed competitive.” *Matter of Kink v. Finegan*, 1 N.E.2d 462 (New York, 1936).

When the examination has been completed and the papers graded, the candidates are ranked and their names are put on an eligible list. The eligible list is significant because once someone is ranked and placed upon a list, that person must remain on that list for the term of the list’s validity. Preferences can alter the ranking of the list. Many systems have preferences for veterans while other preferences are also included to correct for distortions in testing methods. When an appointing authority has a vacancy that it seeks to fill, it will request certification of eligible candidates. The appointing authority must select a candidate from the certified list of those eligible.

In the merit based civil service, a promotion is when a person in an existing position moves to an existing higher position. This process may or may not involve competitive examination and may or may not involve seniority. The examining authority still has to certify those eligible for a promotional appointment. Promotion can also occur based upon rank alone or upon efficiency ratings.

There are different types of separation from service. Demotion refers to the process by which a civil servant is moved to a position of lower rank and typically a lower rate of compensation. A reduction of salary can occur without a demotion particularly when the government lacks the funding to pay a salary.

An officer entitled to abolish a position may do so in good faith for the purposes of economy or efficiency. In other words, a position cannot be abolished only to have the duties of the position reappear under a different name. The difference between a layoff and removal is that removal signifies the incompetency of the worker while layoff signifies the work of the position is complete or there is a lack of funding to complete the work. A person typically cannot be removed from office unless for just cause and given notice of the reasons and opportunity to respond. Decisions on removal are subject to judicial review.

The Philippine civil service system

The expansion of effective Spanish control over most parts of the Philippines followed the effective control the Spanish clergy was able to exert over a given population within a particular territory. For most Filipinos there was little direct secular government presence and instead the Spanish clergy represented the authority of the king in all matters involving the power of the crown. The upper classes primarily in urban areas did have limited access to secular institutions of Spanish rule, although these institutions were structured by the domination of the clergy. During the final decade of Spanish rule, an attempt was made to devolve powers to local tribunals although the system was a failure and the Spanish clergy together with local elite continued to dominate.

Spaniards were appointed to the few higher positions within the bureaucracy while the lower positions were filled by loyal followers of the local elite. The entire bureaucracy was highly inefficient and revenue rarely covered salaries and expenses. Several provincial governments on Luzon had civilian governments but the rest as well as those of the Visayas were under the command of military officers. All of whom were Spaniards.

After the Treaty of Paris was ratified, the Schurman Commission was commissioned to study the conditions of the Philippines and propose a governance system. The Commission painted the Spanish civil service system as, generally, irrational and inefficient and made it self-evident that “[o]f course the merit or business system must be adopted and lived up to; the patronage or spoils system would prove absolutely fatal to good government” (Philippine Commission, 1900: 112).

The basic philosophy of developing civil service was thus:

The business or merit system of civil service is economical of officials for it aims only at the public good. The patronage system, on the other hand, creating offices for favorites irrespective of the needs of the country, implies an exorbitant number of officials. Good government being the result of the former system, the people are contented and only a small military force is necessary. The patronage system, on the other hand, necessarily involving incapacity and extravagance and issuing in misgovernment and corruption, alienates and embitters the governed and necessitates, in consequence, large armies to keep them in subjection. (Ibid: 115)

It envisioned a civil service structure similar to the state systems of merit based competitive examination. “The competitive examination will secure the selection of the fittest candidate, while it offers equal opportunity to all; and though it will be a novelty to the Filipinos, who have been accustomed only to the patronage or spoils system of appointment, it cannot fail to commend to them a republican form of government whose civil service is regulated by justice to all applicants for admission and directed solely to the welfare of the community” (Ibid: 113).

The Commission saw the civil service directed into four groups: 1. the entirely exempt group composed of the governor, secretary, attorney-general, certain judges and other high officers; 2. the heads of the departments from the federal civil service; 3. middle managers subject to the merit principle; and 4. the great body of civil servants subjected to the merit principle. The Commission envisioned that the first three groups would be composed entirely of Americans “offered

salaries large enough to induce the most capable of their class not only to enter and remain in the service, but to give an honest, effective, and economical administration, free from any taint of corruption” (Ibid: 114). It also recommended that Americans in the regular Philippine civil service should learn the language of the people where they live and that knowing the language should be a condition of all promotion. Taft sought a civil service system based solely on merit and competence and asserted that the law was “more rigorous than those found in America to fulfill the promise of the McKinley administration that it would give the Filipinos honest and efficient public servants” (Escalante 2007: 96).

The Americans developed and deployed a narrative theme of progress that mystified their imperial designs. The Spanish period was painted as a decadent, failed form of governance. In describing the primary education system, native informants told them that the only education they got was in Christian doctrine, imparted in the local language. “It is further and persistently charged that the instruction in Spanish was in very many cases purely imaginary, because the local friars ... not only prohibited it but took active measures to enforce their dictum” (Philippine Commission 1900: 31). “The only history ever taught was that of Spain and that under conventional censorship. The history of other nations was a closed volume to the average Filipino. Vocal music was not taught and the instruction in practical agriculture, where given, was a sorry farce” (Ibid: 32).

Yet, while this was described, an objective civil service system would be built with “equal opportunity to all” really was equal opportunity for all of those who got an education beyond the universal failed education of the Spanish period since “[a] very small number have learned to read and write [Spanish] intelligently” (Ibid: 33).

The only people with access to more than the universal primary education in the Christian doctrine were the ruling class of natives and mestizos during the Spanish period, identified as the “*principalia*” (Ibid: 45). It was this class of people for which Taft and the American colonial administrators sought to obtain cooperation and it was this class of people who would be among the first to join the civil service.

Nevertheless, American colonial governance was a patronage system for most government positions above the municipal level and civil

service for all lower positions. However, “[m]embers of the provincial elites with less impressive credentials sought a wide variety of clerical positions in insular and provincial offices [which were] rapidly coming under the civil service act” (Culinane 2003: 69). Those were of the positions that went to Filipinos while many positions went to Americans.

While Taft professed to protect the Philippines from “the most marked evil of American politics, the spoils system” (Hayden 1942: 91), as Benedict Anderson noted, “civil servants frequently owed their employment to legislator patrons, and up to the end of the American period the civilian machinery of state remained weak and divided” (Anderson 1988: 11).

By 1935, we see that the implementation of the merit principle was anything but. Promotions were not made in accordance with the merit principle. Promotions and salary increases were often “in response to personal or political influences” (Constitutional Convention 1935, 2: 53: 316). In other words, the positions were not standardized or treated uniformly, giving equal pay for equal work. Artemio Abaya, Ilocos Sur delegate to the Constitutional Convention, advocated that

[i]t should be applied to many positions commonly held to be political, but which, in fact are not political or policy determining in character. Action must be taken by placing practically all the actions of the Executive branch of the Government, except those of a bona fide policy determining character, in the so-called ‘classified’ service... It should limit the number of ‘exemptions’ to the lowest figure possible. (Ibid: 315)

This was confirmed by the Committee in the 1935 Constitution: “La intencion del Comite es que todos los funcionarios del Gobierno, excepto aquellos que se mencionan en esta Constitucion, caigan bajo las reglas del Servicio Civil.” [The intention of the Committee is that all the functions of government, except those actually mentioned in the Constitution, fall within the rules of the Civil Service.] (Philippine Constitutional Convention 1935, 8: 115, 240)

The proposal included Abaya’s recommendation that “policy determining” positions be exempt. Delegate Perez asked whether “policy-determining” “has no fixed and determined meaning and that

... under this phrase the very purpose of promotion through merit in the civil service may be defeated” (Ibid: 241).

Delegate Pelayo noted what the practice of government service in 1935 was: “Is it not a fact that the practice of employing private secretaries not subject to Civil Service rules has been abused in that these private secretaries sometimes go to office only to collect their salaries and practically do not do any work? Sometimes the person employing them draws their salary and gives them only a part” (Ibid: 242).

Delegate Buslon stated: “If you go to the Civil Service Bureau, you will find that a great majority of those who have qualified in the Civil Service examinations have not been appointed. If you investigate all the departments and bureaux and offices in the Philippine Government, you will find that the great majority of those holding important positions therein are not qualified under the Civil Service Law. The provision here excepting those positions which are policy-determining or personal and confidential in nature gives the excuse for any office head, any department head, to give favors to his political adherents” (Ibid: 245).

Delegate Ventura offered an amendment regarding pay based upon the merit principle. Favoritism had been expressed by granting certain government employees “additional or double or extra compensation in any form” (Ibid: 252). He went on to read from a committee report commissioned by the governor-general regarding additional compensation. Many prominent, full time, government officials simply had ghost staffs of political loyalists whose job it appears was to get paid.

Hawai‘i civil service system

The civil service of the Kingdom of Hawai‘i was originally characterized along traditional lines. Various persons through kinship and descent had social and political roles assisting and advising decision-making chiefs. This continued into the Kingdom period although certain foreigners were added to this. Selection and retention of most Kingdom officials followed traditional lines although certain trusted foreign advisers were appointed to various positions by the King in his judgment. Lower

level employees were selected by their superiors. Traditional methods of selecting particular people limited the type of turnover that characterized the spoils system in the United States however the underlying legal basis for the system provided no safe-guards to prevent a spoils-type system.

The Philippine Commission was established by the U.S. President as an act related to both his war powers and foreign relations power. The task of the Commission was to “facilitate the most humane, pacific and effective extension of authority throughout these islands, and to secure, with the least possible delay, the benefits of a wise and generous protection of life and property to the inhabitants” (Philippine Commission 1900: 185). They were to “ascertain what amelioration in the condition of the inhabitants and what improvements in public order may be practicable and for this purpose they will study attentively the existing social and political state of the various populations” (Ibid: 186).

The Hawaiian Commission was established by the same joint resolution of Congress that purported to annex the Hawaiian Islands to the United States. The Hawaiian Commission was not given a lengthy task. It was to “recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary and proper” (Hawaiian Commission 1898: 2).

In addition to recommending the elimination of certain government officers related to powers no longer to be vested in the Hawai‘i government, the Commission recommended three tiers of government official appointments. The first tier of officers including the governor, Supreme court justices and circuit court judges were to be appointed by the U.S. president on the advice and with the consent of the US Senate. The second tier of officers included all other high ranking department heads and their deputies as well as members of public boards who were to be appointed by the governor on the advice and with the consent of the territorial senate. All remaining officers “shall be as provided by law” as appointed and removed by the governor (Organic Act 1900, Section 80).

In short, the Commission proposed and the Hawai‘i government was organized so that the US-appointed governor would have absolute control over the civil service. The kind of civil service recommended for the Philippines with “equal opportunity for all” would threaten control of the Hawai‘i government by the sugar plantation oligarchy. As the Hawaiian Commission reported:

The present public-school system of Hawaii is very satisfactory and efficient. The conduct of the public schools and the tendency of the entire educational establishment of Hawaii is in the highest degree advantageous to the United States. . . . The effect of these two enactments is the most beneficial and far-reaching in unifying the inhabitants which could be adopted. It operates to break up the racial antagonisms otherwise certain to increase, and to unite in the schoolroom the children of the Anglo-Saxons, the Hawaiians, the Latins, and the Mongolians in the rivalry for obtaining an education. No system could be adopted which would tend to Americanize the people more thoroughly than this. (Hawaiian Commission 1898, 10)

The sugar oligarchy was aligned with the business-oriented Republican Party in the United States. When Woodrow Wilson took office as U.S. President, although Democrats were appointed governor, there was little real challenge to the power of the sugar plantation oligarchy. The Republican Party represented the political party of hegemony between the ruling white elite and the vote numerous Hawaiians. After 1924, Hawaiians became a numerical minority of voters in Hawai'i. Additionally, at this time, children of Asians who had been excluded from citizenship began to come of age. Within a decade, the Republican share of the electorate began a slow and permanent decline. Mixed race labor organizing and the election of Franklin Delano Roosevelt as U.S. President created a series of democratic threats to the long standing hegemony.

The solution to this threat was the merit principle or, as it was characterized by the governmental research bureau, "a substantial contribution toward the completion of a modern personnel administration system in the territory, which will be to the benefit of the taxpayers, the government and the employees in public service" (Honolulu Star-Bulletin, November 25, 1936: 1).

While local Democrats did obtain control of the Honolulu municipal government (most well-known was native Hawaiian, Mayor Johnny Wilson), it was the irreversible decline in the Republican share of the electorate together with the popularity of Roosevelt and the Democratic Party that motivated the long but declining hegemony of the oligarchy

to protect against the threat of its informal competence based hiring. As the bureau report stated, “The recent political upheaval and change of administration in the territorial and county governments has done more than anything else to focus local public attention on the evils of ousting public employees at each change of administration” (Ibid: 3) Such turnover was “responsible to a large extent for the increasing cost of our government.”

At the same time that the merit principle was being discussed, the establishment criticized the formation of a government employees’ association claim that its secret but true purpose would be to lobby: “higher salaries, exemption from taxes, and numerous little favors here and there, including occasional plums and melons of delicious flavor” (Honolulu Star-Bulletin, March 1, 1937: 14).

The Hawai‘i Government Employees’ Association repudiated that view by stressing that the adoption of the merit principle was its main object.

Economy and efficiency cannot fail to result when governmental positions are filled by men trained to work, and not merely holding office because they happened to vote for the ‘right’ candidate at the last election.... Territorial and City & County employees are entitled to fair working hours, protection by an adequate retirement system and to a fair and equitable salary schedule... the public that pays for the support of the various agencies of ... government is entitled to a fair return for the money it spends... [and] can best be accomplished by the establishment of the merit system. (Honolulu Star-Bulletin, March 4, 1937: 16)

As the bill made its way through the territorial legislature, the municipal police force was exempted from its provisions as well as private secretaries and deputy attorneys general (Honolulu Star-Bulletin, April 16, 1937: 2). But the Senate amended the bill to have the police included within the provisions, it was argued for the purpose of killing the bill (Honolulu Star-Bulletin, April 29, 1937: 1, 5). The final bill was mandatory for the territorial government and the municipal government in Honolulu and optional for the three other counties (Honolulu Star-Bulletin, May 17, 1937: 8).

Governor Poindexter vetoed the bill and sought to appoint a nonpartisan group to study a more comprehensive system that also included the reformation of the classification system. Poindexter also expressed concern that the inclusion was too extensive, not including police and firemen but also deputy directors of departments, professionals and other confidential employees (Honolulu Star-Bulletin, May 19, 1937: 1, 6).

However, the Republicans who criticized the governor's veto claimed that the main objection was that

the Democratic party would be deprived of some juicy patronage in the nature of many new positions created by the legislature and that the governor had not discharged a sufficient number of the old employees of the territory and employed in their places deserving Democrats and that further time should be given to eliminate from the payroll old employees and put members of the Democratic party in their places[.] (Honolulu Star-Bulletin, May 22, 1937: 6)

This is against the backdrop of Roosevelt's January 12, 1937 message to Congress on government reorganization where he called upon Congress to "extend the merit system upward, outward and downward to cover practically all non-policy-determining posts."

During 1938, the Honolulu City charter was undergoing review and there appeared to be uniform support to apply the merit principle to city positions including the classification process where "employees are rated according to the difficulties and responsibilities of their jobs [and] pay is based primarily on this rating" (Honolulu Star-Bulletin, January 14, 1938: 3, 8). The governor's civil service study group was urged to review the materials and work of the city charter review committee.

Also during 1938, the Honolulu City Engineer Ben Rush was a lightning-rod against patronage personnel management. He dismissed a lighting superintendent who then claimed politics was at the root of the termination. It was widely believed that the application of the merit principle would have entirely avoided the situation. This was followed a few months later with his annual report to the mayor that criticized

the garbage division for an increase in the cost of operations “beyond all proportions.” He had previously recommended cutting personnel but the opposite had occurred. He stated:

I cannot too strongly urge that something be done to cure this cry for patronage. This is the one thing that causes misunderstandings and bad feelings between department heads and elected officials, as well as between the elected officials themselves.

As things now stand, all division heads in this department waste from 30 to 50 per cent of their time listening to hard luck stories of men seeking employment. This continues further to the mayor and board members. (Honolulu Star-Bulletin, May 18, 1938: 1)

Both the Democratic and Republican parties advocated the merit principle and classification system. The Democrats saw their advocacy as expanding the merit principle while Republicans believed it was the creation of a new system (Honolulu Star-Bulletin, August 1, 1938: 3). However, on the radio, Johnny Wilson, the patriarch of the Hawai‘i Democratic Party, criticized the demand for the merit principle as being advocated mostly by politicians and not demanded by the “honest citizen familiar with the workings of government, who wants a dollar of value for every tax dollar he pays” (Honolulu Star-Bulletin, October 29, 1938: 2)

Wilson’s criticism went further:

Civil service gives to the employee assurance of a life job, which is not conducive to better service or greater efficiency. The tendency is for the employee, after receiving assurance of a life job, to slow up and do not more than the law allows. He becomes a part of a big machine where no part moves faster than another, and the chain becomes no stronger than its weakest link. All initiative and push is gone.

Fred Ohrt, manager of the Board of Water Supply, countered that, under modern merit systems, employees are selected, retained and promoted because of merit and not because “they’re absolutely dependent on political patronage” (Honolulu Star-Bulletin, October 29, 1938: 2).

Nevertheless, Democrats running for political office campaigned supporting the adoption of the merit principle and a uniform classification of positions and salary. Big Island senate candidates campaigned on passing civil service laws to include the Big Island police department.

The 1939 legislative session produced three bills: Vitousek’s Republican version, Poindexter’s Democratic version and the Big Island senators’ version. By mid-session, three main problems remained: 1. whether the department head or civil service commission would have the final decision over reinstatement; 2. whether the police would be included; and 3. how the political activity of employees would be regulated.

In the end, the compromise bill passed included the Honolulu police department, exempted the Kauai police department and phased inclusion of the Maui and Big Island police departments. Attorneys, elected officials, legislative employees, judges and board/commission members were excluded from the law. Department heads would have the final decision over reinstatement and political activity of employees was specified.

Governor Poindexter waited until the very last minute to decide whether to sign the civil service bill, remaining non-committal until the end. He had little comment but did say that “it was the best the territory could get under the circumstances” (Honolulu Star-Bulletin, May 8, 1939: 4).

Following World War II and Hawai‘i’s admission as a state, Hawai‘i’s system of public employment went through a major transformation that included the addition of a constitutional right of public workers to collectively bargain, a law to enable collective bargaining by public workers and finally, collective bargaining by public workers. This historical process reached its peak when the Supreme Court of Hawai‘i held that the efforts of a local government unit to privatize trash collection—a traditional government service—circumvented and violated the constitutional requirement of the merit principle.

Conclusion

Abstract legal concepts can and do take radically opposite paths in history as they are embodied in institutional forms that, after the passage of time, appear to have no relationship to one another at all. Public works and public employment easily convert government resources into political capital for those with effective control over contracts and appointments. This power will not easily yield to a system based upon the abstraction of the merit principle.

In the Philippines, the American colonial officials imposed an entire juridical and political system that professed to democratize the Philippines. The concept of a merit-based civil service was a method of fairly distributing government employment based upon merit. However, until the Filipinization of the civil service upon the election of Woodrow Wilson as U.S. President, “equal opportunity” to pass an American civil service examination was strictly limited to the upper classes. This process then obtained the consent of the upper classes both by providing employment and by mystifying class privilege as “merit.” Broad exemptions and exceptions to civil services rules meanwhile allowed these same few upper class civil servants and other upper class political bosses to follow the example of their American colonial masters to use government employment to maintain the support of their followers.

Hawai‘i, on the other hand, had developed a hybrid legal system during the Kingdom period followed by an organized and concerted effort after the U.S. military-led overthrow to fully “Americanize” the legal system. The sugar-plantation-dominated social and political system solidified its control leading to annexation and so, upon formal American control of the Hawaiian Islands, American colonial officials had little “work” to do—the commission charged with proposing Hawaii’s organic act merely proposed minor modifications to the governing system and removing government offices that pertained to an independent country. In other words, the system of compliance that anchored the American government to Hawai‘i was not reinvented. The absence of a legally enforceable merit-based civil service system was another method by which the American elite exerted control over the population. Unlike

the Philippines, there was no special or new need to buy the cooperation of local elites or to mystify their privilege as “merit.” Merit-based civil service in Hawai‘i was only implemented when the American sugar plantation elite were beginning to lose control over the political system. Implementing merit-based selection became a way of restraining the ascending power of the opposition political party and to minimize or remove public employment as a tool of control or power. Both the Philippines and Hawai‘i have constitutional provisions mandating merit-based classified civil services. Yet, since World War II, the experience of employment in the public service continued to diverge. The successful labor organizing of dock workers and agricultural workers in Hawai‘i broke the control of the sugar plantations and eventually led to a constitutional right of both public and private employees to collectively bargain. There were no such similar developments regarding labor organizing in the Philippines and public employees still are still strongly subject to the whims of elected officials who are generally from the upper class elite.

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Communist defeat in the Second Indochina War

Paul T. Carter

Once I talked with them (his North Vietnamese captors) about captured soldiers at the front line. They asked me which front line? I was thinking of Plain De Jars and Sky Line Ridge, so I told them. They laughed and told me that's not the front line. They said their front line was Thailand. (Thai Forward Air Guide CROWBAR, captured by the North Vietnamese in Laos in 1972 and kept captive for over four years.) (Warriors Association 333 1987, 6) ¹

The nearly three-decade armed struggle on peninsular Southeast Asia between communist forces and so-called “Free World” forces was settled in 1975, when Democratic Republic of Vietnam (DRV, communist North Vietnam) forces seized the southern Vietnamese capital of Saigon. The DRV and communist Pathet Lao forces, supported by the Peoples Republic of China (PRC), asserted their hegemony over Laos that same year. Meanwhile, the communist Khmer Rouge conquered Cambodia, driving them from Phnom Penh in late 1978.

The communist victories were total and the forces of democracy beaten, so said press accounts and the popular notion. The primary narrative of these wars—really one war composed of several campaigns—has portrayed the communist victories in Southeast Asia as absolute. The storyline has been fairly consistent: The United States, its Western and Southeast Asian allies lost the Second Indochina War and the communist forces prevailed.

There is another story that has not been popularly told, a successful one few talk about. The truth is that on the peninsula one country, Thailand, which the PRC and DRV intentionally targeted for communist expansion, failed to follow the domino path of its three neighbors. Given the feeble record of governments in defeating insurgencies since World War Two, this was a notable achievement, particularly since two of the defeated countries bordered Thailand. A recent empirically-based counterinsurgency study conducted for the U.S. Office of the Secretary of Defense found that of 59 core

insurgencies world-wide since World War Two, host-nations lost in 31 of those conflicts. (Paul, Clarke, Grill, Dunigan 2013, 274-275)

History has largely overlooked the Thai victory over its insurgency and success in resisting external communist forces. In this article, I argue that Thailand triumphed over communism because of certain decisions, some risky, its leaders took and the determination of its king and population to fight communism both at home and abroad. Thai leaders in the 1980s and 1990s certainly portrayed the Second Indochina War as a victory for Thailand, as demonstrated through the war memorials they commissioned during this period. (Good 2014) As Richard Ruth observes:

These monuments illustrate a period of economic development and growing prosperity during the war years that appear intended to demonstrate to its people that Thailand, unlike the United States, can record its participation in the conflict as a national boon. They reflect a profitable and proud phase of modernization that not only transformed the kingdom from a largely agricultural developing nation into the most technologically advanced and wealthy mainland South-East Asian state. (Ruth 2014 , 42)

Evaluating the Communist insurgency

It might confound the international visitor touring charming Thailand today to learn that communist violence racked the kingdom 50 years ago. By mid-March 1967, communist assassinations of Thai government and community officials in the northeast Isan region had increased from a long-standing average of about ten per month, to thirty. Armed clashes between government forces and insurgents were averaging one per day. (Kerdphol 1986, 27), (Braestruck 1967, 11) This alarming violence rarely made headlines outside Thailand because the Western press focused on the war in Vietnam. Assassinations ranged from provincial governors to village headmen (*puuyaibaan*). (Kuhn 1995, 100), (USOM 1967, 11) Aid workers were not immune, insurgents killing a three-man Thai team in Nan Province in 1970. (Blackburn 2002, 191) Even rural school teachers were targeted. As teachers fled, schools closed (USOM

1967, 17) By 1984 when the Thai state had defeated the insurgency, almost 22,000 Thai government officials had been killed or wounded and intellectuals assassinated. (Kerdphol 1986, 186)

A casual review of the *Bangkok Post* in the early 1970s vividly demonstrates commonly occurring communist violence. To give one example, in just a two-week period ending in January 1972, the newspaper reported the following violence in five articles over four days: (Bangkok Post 1972, 6; 10-12)

- Between December 29, 1971 and January 4, 1972, government clashes with insurgents resulted in 32 “communist terrorists” (*Bangkok Post* term for the insurgents) captured, six killed, ten wounded while six government authorities and one villager were wounded, with 122 insurgents surrendering to authorities.
- A communist group of unknown size attacked a work camp guarded by 20 soldiers, policemen, and volunteers in Ban Wang Pa, Hat Yai, using small arms and a M-79 grenade launcher. One assailant was killed.
- A Vietnamese “suicide squad” penetrated U-Tapao Royal Thai Air Force base, damaging aircraft. One raider was killed, another captured.
- After three days of fighting, Thai forces seized an insurgent training camp in the Phu Phan mountains, capturing three while others fled. The camp’s training capacity was 150-200 personnel, complete with agricultural lands, basketball and badminton courts.
- Insurgents attacked a Thai Border Patrol Police (BPP) unit in Udon Thani Province, injuring three soldiers and fatally injuring a policeman. Three assailants were killed.

That very month the governor of Nong Khai, a province on the Mekong River bordering Laos, implored Lao officials to help stop the insurgent gun running to Thailand. (Bangkok Post 1971) Thai government forces the previous week had seized large amounts of M-16 rifles, ammunition, anti-tank rounds, and other weapons. The request

did little good. One year later, the paper reported 150 heavily armed insurgents overran the Loei Post Office, murdering eight policemen. (Bangkok Post 1972)

The communist insurgency was centered in Thailand's impoverished northeast and parts of the north. The violence was real, the insurgents committed. Nan Province was a particularly remote northern area requiring aggressive government action over the years to root out insurgents. In May 1972, during an attack on a communist camp in Ban Huey Lak Lai, 25 kilometers southwest of the district capital, 14 Thai cavalrymen were killed and 30 wounded in military operations lasting several days. (Bangkok Post 1972) The DRV was providing a pipeline of weapons to Thai insurgents through Laos, which shares a 1,700-kilometer border with Thailand. That same month, Thai forces captured smugglers in Kalasin transporting assault weapons from Nakhon Phanom province. The haul included M-79 grenade launchers and 257 grenades, assault weapons, and almost 40,000 rounds of assault rifle ammunition. (Bangkok Post 1972)

In 2016, Thai former communists offered vivid recollections of their fight against the Thai State. "The theories of Marx, Lenin and Mao Zedong helped me to see Thailand from a different angle. The Communist Party of Thailand's (CPT) goal was to build a party, a military, and mobilize the people to change Thailand's political system." (The Isan Record 2016) Another remembered, "In the scorching heat of March 1966, plagued by 'leeches that sucked all the blood out of our legs,' (she) trekked from Nabua, Thailand to a communist base in northern Vietnam, close to the Chinese border." She remained there for almost two years, receiving Vietnamese language and medical training to become a nurse before returning to Thailand in 1968. (The Isan Record 2016) One captured communist during the war said he trained for eight months in Vietnam with 100 young Thai men and 43 Thai women, with North Vietnamese and Thai instructors. (Mitchell 1967 ; Yatsushiro 1967, 4)

Communist recruiters were often subtle in their techniques, migrating into new villages and, after sometimes a year of gaining villagers trust, beginning recruitment. Other times, armed gangs of up to 100 would enter a village late at night, gathering villagers at a wat while searching for village leaders and teachers. The communist leaders would alternately

proselytize and threaten for hours, then present a tendentious form of *mohlam* (northeastern folk song story-telling) denigrating the Thai political, social and economic order, as one village abbot witnessed and outlined in a private letter to his superiors. (Yatsushiro 1967)

Some scholars have argued the communist threat to Thailand was insignificant, Thai military leaders using the theme of “communist threat” as means to prod the United States into providing Thailand increasing economic and military aid. Phimmasone Michael Rattanasengchanh argues that the premier, Field Marshal Sarit Thanarat, used anti-communism as a ploy incorporated into the idea of Thai nationalism to increase his and royalist power and that, “communism was too small to pose any danger to the country.” Phimmasone cites a 1963 U.S. Army assessment stating the communist movement in Thailand “was relatively small and its activities were manifested mainly in clandestine propaganda.” (Rattanasengchanh 2012, 41-42) Daniel Fineman argues the traditional Thai “cold war model” seeking to explain Thai leaders’ actions was flawed. This model attributes Thai military leader motives for internal activities and foreign policy to combatting a communist threat, when they actually used the communist threat to attack their opponents and consolidate political power. (Fineman 1993)

I do not disagree that Thai military leaders embellished the communist threat, used it to consolidate their domestic power and, on one occasion, even surreptitiously printed communist literature. (Tejapira 2001, 135) Sarit in particular used the threat to brutally attack opponents, sometimes by unlawful execution. Where I part company with their analysis is when they conclude that *because* Thai leaders used the threat for power consolidation, communism *therefore* was not a formidable threat. That communism was a significant threat to Thailand *and* that leaders conveniently used the threat to consolidate their power are not conditions in contravention. The assassination rates and daily armed clashes clearly establish that communist violence was a threat to Thailand’s governance and way of life, regardless of the domestic politics.

Perhaps there was an additional motive for Thai military leaders to embellish the threat? We will know never but, as I address later, their zealous desire for military action in Laos and dismay at the American catatonic response in the early 1960s poses the possibility. After all, it

was not until 1966 that U.S. intelligence recognized the significance of the threat previously emanating from Laos. We now know that communist activities inside Thailand were more robust in the 1950s and early 1960s than the U.S. estimate of activities previously cited.

The external threat

After World War Two, peninsular Southeast Asian countries found themselves in a struggle between global powers. On the one side was the communist bloc led by the Soviet Union and the PRC. On the other was the Free World led by the United States. Complicating the geopolitical balance was France's attempt to re-colonize Southeast Asian territories it lost during World War Two. Communist and Free World conflict erupted almost immediately with the Korean conflict and the French versus Viet Minh struggle in the First Indochina War.

In the 1950s, Pathet Lao cadre, working with Vietnamese communists, first recruited Thai villagers to fight with the Pathet Lao inside Laos. In 1953, the communist Viet Minh invaded Laos, nearly capturing Luang Prabang, the royal capital, had they not over-extended their supply lines. This aggression clearly demonstrated their regional expansionist intent. One Thai veteran told me he remembered as a seven-year old the Vietnamese communists capturing Dien Bien Phu in 1954 and that event alarmed him, his parents, grandparents and many Thais. (Kalphavanich 2018) Anuson Chinvano states:

The events of 1953, especially the establishment of the T'ai Autonomous Area in Yunnan... the Vietminh's invasion of Laos, together with the signing of the Korean armistice, heightened the Thai leaders fear that the communists had now turned their attention towards Southeast Asia, and that aggression against Thailand was imminent. (Chinvano 1992, 121)

Satayut Osornprasop argues, "The Thai fear of 'Red' China was unquestionable; it was clear even before the establishment of the PRC." (Osornprasop 2003, 14)

Thai leaders had reason to fear. Only recently have we learned from empirically-based studies and counterinsurgency modeling just how lethal insurgencies are with outside sponsorship. Examining insurgencies since World War Two, researchers have found that external support to

insurgencies plays a greater role in insurgent victories than previously assessed. External support is such a powerful element in tipping the balance towards insurgencies, since World War Two “every case in which a major external power supported the insurgents and was not balanced by a major external power supporting the (host-nation), ended up being an insurgent win and a (host-nation) loss.” (Paul, Clarke, Grill, Dunigan 2013, 151 ; Paul, Clarke, Grill 2010) In Thailand’s case, two nation-states—the PRC and DRV with Pathet Lao—funded and trained the Thai insurgency.

According to CPT documents, between 1948 and 1949 it, “sent cadre, students, and intellectuals ‘upcountry’ to organize the ‘peasants.’” (Jeamteerasakul 2003, 529) Thai communist training in Vietnam, Laos and probably China almost certainly began in the 1950s. (Yatsushiro 1967, 13) This is a timeline earlier than previously known. The threat was growing in Laos to Thai borders, at a magnitude Washington misinterpreted but Thai leaders almost certainly understood.

Thai military leaders’ aggressive intent and actions toward Laos at this time resulted from their fear of Vietnamese and communist expansion, motives that cannot logically be assigned to domestic power consolidation. As early as 1956, they wanted to send a Thai BPP contingent to northern Laos, against U.S., objections, to retake provinces lost to communists. (Conboy 1995, 27) They were appalled and angered with the American officials’ languidness towards the communist Lao threat. Pathet Lao troops pushed to the Thai border in 1961 without allied response, prompting Sarit to deploy Thai military units to the border and the first-ever Thai artillery deployment into Laos. The North Vietnamese meanwhile conducted an offensive in southeast Laos, capturing the strategic village of Tchepone. The U.S. negotiated the 1962 Laos agreement and created an ineffectual coalition government, placing Thai-U.S. relations at a low point. “Bangkok deployed a number of methods to sabotage the coalition government under Souvanna Phouma, including the blockade of Vientiane, withholding its recognition of (his) government, spreading false news reports and evacuating Thai nationals from Vientiane. The economic blockade of Vientiane, which was imposed shortly after the Kong Le coup, continued despite the formation of the coalition government.” (Osornprasop 2003, 45)

Thai leaders' exasperation over tepid allied responses to Viet and Pathet Lao activity in Laos obligated the United States to sign the Rusk-Thanat communique (assuring United States unilateral commitment to Thailand). So upset were Thai leaders that U.S. President Kennedy feared they might use the "agreement to intervene in Laos." (U.S. State Department 1962)

American failure to appreciate Thai leader concern over Vietnamese encroachment was to ignore almost 250 years of Siamese (Thai)⁵ and Viet clashes over Laos and Cambodia. Siam at one time had almost complete suzerainty over most of territorial Laos, previously composed of several small kingdoms with overlapping frontiers that paid tribute to the Vietnamese and Siamese. With a fragmented Laos, the Siamese and Vietnamese asserted themselves territorially and it had been a bloody, violent affair that included the forced repatriation of tens of thousands of Lao and others, and the slaughter of Siamese as far south into Siam as Korat. (Jumsai 1971)⁶ As the Thai leaders saw it and Thai people had lived it, the Vietnamese had once again crossed the Annamatic chain, but this time the challenge was not just for the Laos, but for Thai sovereignty.

I contend that while Thai leaders used the communist threat to fortify their positions, they also recognized the growing danger to Thailand emanating from Laos with greater precision than American leaders. It is quite plausible that their desire to convince Washington of this menace, which we now know was stronger than American leaders understood at the time, caused them to embellish its strength. Perhaps they thought they best could convince Americans of the actual threat by overstating it. Regardless, I fail to see how their aggressive actions towards Laos can be attributed to anything other than their legitimate concern over external threats to Thailand's borders.

The 1960s heralded an escalation not only in rhetoric but in conflict. With the signing of the International Agreement on the Neutrality of Laos in 1962, American forces left Laos. The North Vietnamese kept 7,000–9,000 troops there, violating the agreement.

The Third Congress of the CPT convened in or near Bangkok in 1961, passing a resolution declaring armed struggle the strategy for revolution⁷ in Thailand. In March 1962, a foreign radio station,

the “Voice of the People of Thailand,” began broadcasting, calling for revolution. Thai villagers sympathetic to the communist cause keenly listened to it and, according to personal accounts, by 1965 thousands of Thai in the northeast had left the rice fields and joined the armed struggle. (The Isaan Record 2016)

In 1965, the year the CPT initiated armed clashes inside Thailand, the PRC foreign minister stated in a radio address that Thailand would be the next front for a guerilla-driven civil war. Also, that year, Chinese Foreign Minister Chen Yi told the French Ambassador in Beijing of the “formation of a ‘Thai Independence Movement,’” and stated “we hope to have a guerilla war in Thailand before the year is out.” (Osornprasop 2003, 204) Thai Foreign Minister Thanat Khoman characterized the statement as amounting to a declaration of war. Shortly thereafter, Liao Cheng-chih, chairman of the PRC’s Overseas Chinese Affairs Commission, announced that it was “China’s unshirkable obligation ‘to support the struggle of the people of Thailand.’” (Warner 1965, 32) Thailand’s “government in exile” in China led by former Thai prime minister Pridi Banomyong called for the overthrow of the Thai government. (New York Herald Tribune 1965)

PRC officials matched their rhetoric with action, around this time, clandestinely sending a battalion-sized People’s Liberation Army unit into northern Thailand in the Hmong areas. (Tanham 1974,56)⁸

This was the battleground condition Thailand found itself in by the 1970s. Thailand was now one of four nations engulfed in a violent, armed struggle against communism which would eventually overtake three of its neighbors. Aggressive external armies were fighting near Thai borders, while the internal insurgency had grown to a level that Stanford University social scientists characterized in later studies of insurgencies as, “The Thai communist insurgency easily meets our criteria for a civil war.” (Fearon, Laitin 2005, 3)

Thai and American officials fortunately had the foresight decades earlier to take active measures to fortify Thailand against the growing Southeast Asian communist threat.

Thai actions to combat Communism

Successive Thai leaders and the monarchy (the Thai state) after World War Two made a series of calculated decisions regarding Thai State extension, economic expansion, and security development, to combat communism. In 2019, it is hard to imagine that in the early 1970s there were parts of Thailand's north and northeast so remote (not just among hill-area ethnic groups) that no Thai government existed, populations were unaware of the royal family, had never seen an automobile and some had no conception of government. These populations were vulnerable to the communist message. Thai leaders determined, therefore, that to combat communism the Thai state would have to extend into heretofore inaccessible villages, improve the Thai population's quality of life and enhance security. To Thai state leaders, allying with a powerful nation to assist in these efforts seemed prudent.

To ally with the United States in the Cold War was one of the first deliberate decisions that the Thai state made, reinforced under successive Bangkok military leaders. This placed Thailand on a distinct pro-western, anti-communist path. Thailand increasingly viewed a close alliance with the United States as its best guarantor against encroaching communism. It was a decision of significant daring when many nations were opting for non-alignment in the growing Cold War.

In 1950, the United States and Thailand signed two agreements, one economic and one military, setting the two countries on a binding path.⁹ Thailand became the first Asian nation to send troops to fight in Korea against communist forces. Thailand then signed the Manila Treaty in 1954 establishing the Southeast Asia Treaty Organization (SEATO). This was "the fulfillment of the goal of Phibun's (Field Marshal, Premier Luang Phibunsongkram) foreign policy of searching for protection, from external powers as a guarantee against the growing communist threat. Symbolically, it was also the 'final act of public commitment' by Thailand to the Western side in the Cold War." (Maktara 2003, 8)

While in hindsight such an alliance made sense for the Thais and came with great benefit, an aspect often overlooked is the risk associated in siding with the United States. Arne Kislenko argues:

Thailand risked a great deal in its association with the United States. Helping Americans to defend Thailand from invasion or insurgency was one thing, but assisting in wars elsewhere was quite another. First and foremost, the Thais risked antagonizing their neighbors, with whom they had an already difficult, violent history. Secondly, joining the United States in any wars against communism necessitated considerable American intervention in Thailand. This would invariably expose traditional Thai culture and society to powerful foreign influences, which could have serious political implications. (Kislenko 2004)

The Thais had been guarded in their historic alliances, forging only temporary arrangements and shifting flexibly with changing conditions. They were quite proud to have been the only Southeast Asian country to thwart foreign colonization. To now commit to a decades-long American alliance with 50,000 foreign troops on their soil and expose their rural population to foreign cultural influences, many of them sullied, was a bold and perilous policy choice. Perhaps worse, the PRC and the DRV were intent upon militarily removing the last vestiges of U.S. influence on peninsular Southeast Asia and the road to achieve that goal now went through Thailand.

The Thai decision allowing the U.S. Central Intelligence Agency (CIA) to enhance internal security was another key judgment. For a government to allow a foreign intelligence agency to shape internal security operations is inherently a precarious decision. The CIA and Thai cooperation extended through the military, police and monarchy. By 1972, joint Thai and U.S. intelligence operations were so harmonized physically and functionally that they were virtually synchronous operations.

In 1951, a young CIA official named Bill Lair came to Thailand to establish a counterinsurgency training program for the Thai police. Lair eventually formed a personal bond with His Majesty King Rama IX. (Maxner 2001) Lair established a 60-90 day guerilla warfare and parachute training program at Lopburi for police trainees, later reshaping training with Thai approval into an elite special operations unit renamed the Police Aerial Reconnaissance Unit (PARU). The primary purpose of the specialized police unit was to deploy to Thailand's northeast and

provide counterinsurgency and law enforcement capability where none currently existed, extending the Thai state.

Lair with his CIA and Thai colleagues expanded the training to include the Royal Air Force, the Navy, the Army, and “Administrative Interior” personnel. The primary training audience however was the police because Lair believed if guerilla warfare was required in Thailand “...you had police present in every major village... so you had access to all of the people.” (Maxner 2001) By the end of 1953, Lair had trained 94 Thai BPP platoons, each averaging 45 men, deploying them along the Thai border. (Conboy 1995, 57) (Hyun 2014) ¹⁰

Lair then moved training to a new camp, Camp Naresuan, near Hua Hin, as the area offered every kind of terrain desirable for training and was near the monarch’s summer residence. The CIA had been concerned with its ability to extract Southeast Asian royalty to safety in the event of an emergency and brought in small aircraft solely for that mission, according to Lair. The Thais made Lair a uniformed officer in the Royal Thai Police—probably unprecedented for a foreign official—and Lair married into a distinguished Thai family. (Fineman 1993, 133)¹¹ While at Hua Hin, Lair became close friends with King Rama IX, racing boats and shooting weapons together. (Hyun 2014, 318) The King granted Lair a private audience prior to his CIA retirement in 1975. (Warner 1996,373)

By the end of the 1950s, Lair and PARU commander Col. Pranet Ritreutchai had built the PARU into a four-hundred-man force. PARU officers trained at U.S. military bases and were deployed just inside Thailand’s border with Laos, performing police duties and training local villagers in self-protection. (Warner 1996, 31,41). The BPP greatly contributed to Thailand’s nation-building effort and was most instrumental in incorporating remote hill-area ethnic groups into the kingdom. The Thai decision to allow the CIA to enhance its security posture improved Thailand’s capability to fight internal and external communist threats.

Next, the Thai had decided that security was a matter too important to be left to the police and military. Therefore, the Thai State deftly employed two decisive strategies to combat the insurgency: economic expansion in support of security development; and extension of the Thai

state. It was a prescient determination that improving Thai quality of life would make villagers more loyal to the kingdom. Such economic progress later was measured in counterinsurgency models to show that government improvements in local economic conditions resulted in greater chances of success against insurgencies.¹² Government studies conducted during decades of Thai development (anthropologists living among villagers) show just that: Thai government officials conducting economic development in rural areas and demonstrating care for villagers won villager loyalty for the Thai state.

The problems these measures addressed were that parts of Thailand which were remote and linked only by ox-cart paths, were very poor and lacked a Thai government presence. Villagers in some areas of the northeast only knew of the Laos king, and were more aware of events in Laos than Thailand. In a Nong Khai Province village in 1964, a Thai team provided villagers pictures of the Thai king “to replace old faded shots of the late King Srisawangwong of Laos.” (USIS 1964, 7) (USIS 1962, 5)

To bring a sense of “thainess” (*khwam pen Thai*) into remote populations so that villagers felt they belonged to the kingdom, the government in the 1950s began dispatching Mobile Information Teams (MIT) into rural villages. The MIT consisted of Thai government officials, medical personnel and an American observer. The Thai evaluated needs, selected projects for village improvement, provided health care and showed films about Thailand to villagers. The films’ purpose was to educate and promote loyalty to the Thai state.¹³ In two districts of Nakhon Phanom Province in 1964 when a Thai government team distributed pictures of the King, they found some villagers did not understand what the picture represented. If the pictures were distributed the day following a night of movies, then the Thai officials would link the pictures with the movie about the royals and “comprehension was noticeably greater among those who had seen the films.” The team remarked that, incredibly, a few villagers “seemed not to know what the government is.” (USIS 1964 ,8;11) Some critics have called these MIT teams pure propaganda platforms. I proffer that unknowing citizens should be educated on their citizenship and kingdom, and it was incumbent upon the government to present a message, just as the communists were doing.

To conduct economic development, roads first had to be built so that government and development officials could reach rural villages. Development projects began immediately in 1951. Hospital construction increased their numbers in Thailand from 20 to 71 by 1955, at least one in each province, with modernized equipment. (USOM. 1959, 54)¹⁴ The malaria eradication program, with U.S. assistance, cut the malaria death rate (a leading cause of death) in half between 1950 and 1954 and, by 1968, over 90 percent. Smallpox was still a menace post-war. An intensive vaccination program began in the early 1950s and officially eliminated the disease by 1962. (Fenner 1987, 34-48)

The Fulbright education exchange program agreement in 1950 opened U.S.-funded public libraries in Thailand, educated students in the United States and brought American educators to Thailand to teach, train and study. United States Operations Mission (USOM) also began to fund Thai agriculture, health, science and technology, banking and commerce and infrastructure development training. (USAID 2019), (Hill 1973, 32)¹⁵

By 1956, U.S.-sponsored agricultural experimentation had resulted in 50 different rice strains producing a 13 to 32 percent yield increase, reducing the long-term trend of declining yields. Assistance to the fisheries sector resulted in a 25 percent fish catch increase between 1953 and 1955, developing a domestic fish meal industry and establishing the first wholesale fish market in Thailand.

In the early 1960s, the Thai government created departments to execute development in support of security. The first formal, large-scale program the government established was the Department of Community Development (CDD) in 1962, falling under the Ministry of Interior. The department created dialogue between the government and villagers, trained local leadership and brought development. CDD workers going into the villages to work and live considered themselves “change agents.” In the early 1970s when CDD worker Mr. Sansonthi Boonyothayan went to work in rural villages in southern Thailand (Satun) and later the northeast Sakon Nakhon Province, there was no local Thai administration for support. He said:

In Satun, cattle were roaming free, eating gardens and other areas. My first task was to convince the people to work with me. Not all people had private land, so they wanted to use public land for grass. I had to convince both the *Puuyaibaan* and local Imam that fences were needed. Convincing them of that, my next task was to teach them to grow green fodder to support them, finally to use rice straw—which they were throwing away—to feed cattle. I later got them to make mineral blocks for the cattle by using sea salt and ground-up bones.

The U.S. Peace Corps placed its volunteers in the CDD. One such volunteer, Tony Zola, worked in three separate villages over several years developing agricultural enterprises for Thai villagers, increasing their income.¹⁶ Efforts such as these were the most basic, building block tasks to modernize remote peoples and increase their quality of life.

Accelerated Rural Development (ARD), created in 1964, placed development money, equipment and workers in the hands of provincial governors. By 1971, ARD operated in 56 provinces and had constructed 3,763 kilometers of all-weather roads, connecting 3,000 villages. By 1974, ARD provided health care in 27 provinces with at least one and sometimes two mobile medical teams led by a medical doctor in each province. Each team was capable of treating 4,000 patients per month and had treated over 5,000,000 villagers in the recent years leading up to 1974. Additionally, there were “139 youth groups with over 10,000 members working on developmental projects. Twenty-eight district farmers groups with 42,000 members had been established to conduct farm supply, storage and marketing activities.” (Scoville and Dalton 1974, 64) The Thai government through ARD had spent approximately \$100 million in targeted rural areas totaling 10 million inhabitants. (Scoville and Dalton 1974, 53)

Conducting development in dangerous, unsecure areas where the insurgency threatened was a problem. The government developed an effective response with the Mobile Development Units, MDU. These were military units with Thai government workers from various departments (agriculture, health, and others) under the military security

umbrella. The MDUs combined civic action and security functions into one organization for unity of effort and were very effective in bringing both security and development to rural Thailand. MDUs built roads, schools, wat, irrigation systems, improved villages and provided medical care. Some scholars have criticized MDUs, citing an initial evaluation of their problems.(Huff 1963, 7) Often new programs the Thai implemented were so radically progressive and new in their approach, it required time, effort and lessons-learned to adjust and improve their operations.

MDUs were such an operation and these authors failed to cite the same evaluator's follow-up evaluation the next year where he concluded the initial MDU problems had been overcome, providing a resounding endorsement of MDU operations. He captured the essence of MDUs that made them a unique, effective, counterinsurgency tool that no nation before or since has replicated. "No nation had succeeded in combining its civil and military resources under a single command in an organization designed to focus them in an integrated fashion on the problem of preventing the growth of insurgency situations and alleviating those which existed."(Huff 1964, 1-2)

The Thai government also began training government officials in how to better treat villagers and more effectively execute their administrative functions. The government instituted the *Nai Amphur* (district chief) Academy in 1963, with a nine-month training program to better equip Thai officials, both in their attitude and skills, to service the Thai people. A specific goal was to change officials' authoritarian attitudes to a more public-service mentality.

The Thai government also reversed its policy of sending its least qualified officials to the northeast. Academy graduates were disproportionately assigned to the northeast and it became a competition "among students to be assigned to difficult areas." Thai and American officials agreed based on evaluations and their observations that the academy had made a difference in officials' attitudes towards the population and strengthened this key office. (Caldwell 1974, 110) For the Thai government to even attempt to reverse such a trend and change a governmental culture's attitude towards commoners was a paradigm shifting development.

Thai state extension and economic development in support of security proved successful. In the 1950s, Thailand's economy grew on average by 5 percent per annum, increasing to a 1960s average of 8.4 percent, and 7 percent for the 1970s, despite oil "shocks" and inflation. Counterinsurgency models show Thailand passed a Gross Domestic Product "cap point," above which insurgencies are less likely to succeed. Per capita income in Thailand rose in all regions, particularly between 1962 and 1969, reducing the ability of an insurgency to foment a civil war. (Fearon and Laitin 2005, 2)

The World Bank assessed in 1976 that Thailand's poverty rate had been cut from 57 percent of the population in 1962 to 31 percent in 1975, and during that period per capita income grew steadily at about 3 percent per year and "a wide cross section of Thais enjoyed substantial real income growth throughout the period." (Muscat 1990, 228), (World Bank 1980, ii)¹⁷ Thailand, unfortunately, has a large wealth disparity gap, something this development could not address.

USOM commissioned extensive surveys from the 1960s through the 1980s through its Research and Analysis Division, outside research companies and Thai professionals to study villager attitudes towards development and the Thai government. Almost every survey categorically reflected villagers' positive attitudes towards development and the government. These were not casual surveys, rather intensive scientifically-based research to determine which programs were working, which were not, and how to better conduct development and address villagers needs.¹⁸ One series of surveys USOM commissioned from October 1966 to May 1967, as one example, consisted of the USOM Thai research staff, the National Statistical Office, the National Research Council, CDD and Chulalongkorn University (USOM 1967).¹⁹

Next, the actions of King Bhumibol Adulyadej, Rama IX, in rallying the population to oppose communism cannot be overstated. He was an active leader in motivating the Thai population, dressing in battle fatigues when traveling outside Bangkok, often with a pistol at his side. He began to openly advocate military action against regional communist forces by the late 1960s.

In 1966, he called upon his nation to defend itself against external enemies. In February 1967, a public announcement came for 1,000

volunteers to fill a new unit, the Queen's Cobra Regiment, for deployment to Vietnam. In Bangkok alone, 5,000 men arrived at recruiting centers on the first day of application. (Ruth 2011, 22) The Buddhist Sangha gave their support to the war, blessed departing troops in public ceremonies, while growing numbers of monks volunteered to fill the ranks. (Ruth 2011, 23)

The Royal Thai Army (RTA) doubled the size of the regiment to 2,000 because of the overwhelming number of volunteers. In just the first few days, 40,000 young Thai men volunteered for these positions. Later that year as casualties from the war mounted, the very public war funerals Thai leaders and the King attended cemented in the public's mind the very noble nature of the war. As Ruth noted:

The grandeur of the ceremonies and the collection of revered individuals who oversaw them provided a strong incentive to potential volunteers to overcome their fear of possible death. For some volunteers who served in Vietnam, the risk of death was a small consideration against the abstract honor of being remembered by the King and the Prime Minister. (Ruth 2011, 71)

Later in 1967, the call came for recruits for the next unit deploying to Vietnam, the Black Panther Division, and once again young men flocked to recruiting centers. The King continued his very public stance by visiting hospitalized soldiers and attending funerals. In January 1969, he presided over a cremation ceremony for almost 400 Thai who had died inside Thailand fighting "communist terrorists." Queen Sirikit also visited wounded Thai soldiers, setting the example for future visits by other leaders and cultural celebrities. (Ruth 2011, 76-77) In June 1970, when Bangkok publicly announced it would send volunteers to Cambodia to help defend cities, Thai volunteers flocked to recruiting centers. (Conboy 1995, 284)

This public enthusiasm for military service and the Sangha support for the war effort did not occur automatically. The king's leadership and ability to galvanize public support almost certainly shaped Thai attitudes against communism.

Conclusion

The factors I have outlined above were not the only determinants in Thailand's defeat of communism, rather the ones I judge key over several decades. The Thais fought a bloody war in Laos against the North Vietnamese and Pathet Lao in the late 1960s and early 1970s with approximately 17,000 combat troops at its height. Additionally, the Thai government was nimble in undercutting the insurgency by establishing diplomatic relations with the PRC in July 1975, effectively severing the PRC's support for the insurgents by 1979. The Sino-Viet split after 1975 also splintered the CPT. These two events severely degraded the CPT. By this time, the RTA had learned valuable lessons in its decades-long counterinsurgency fight, tactics sponsored by forward-thinkers General Saiyud Kerdphol and General Prem Tinsulanonda. The final death knell came when the Thai government, based on its counterinsurgency plan, offered general amnesty to CPT members in 1982.

Development and able government administrators made a significant difference in strengthening villager allegiance to the Thai state. (USOM 1967, 112) Ultimately, villager acceptance and adoption of development changes required their belief in Thai officials who proposed the changes. (Klausner 1983, 67)²⁰ In 1987, villagers said the most significant contributions to their quality of life in the previous five to ten years were roads, electricity, water supply and public health. (USAID 1987, 284) Villagers surveyed in 1966 in six Isan provinces noted more frequent visits of government officials (which villagers favored). Leaders and villagers in several remote Maha Sarakham Province villages in 1967 stated the government was definitely "doing more" for them than in the past and was trying to improve the villagers' lives. They stated they were "very satisfied" with the government efforts. (USOM 1966, 2), (Yatsushiro 1967, 26-27), (Yatsushiro 1967, 11) While these efforts had been successful against the insurgency, political inclusion was one element Thai governments failed to address.

A southern *puuyaiwaan* probably best captured the development effectiveness. He pointed to the next village on a hill and said, "See there? They have electricity," pointing to the lights. He knew he would get electricity next. Then he said, 'last night, I told the communist

insurgents that only an established government could give me and my village electricity and the paved road the government had recently put in, and you cannot.” (Yatsushiro 1967,199)

Equally important, King Rama IX led from the front in rallying his population against communism. It is too simplistic to argue that naturally the Thai people would follow their king. The love of a monarch is not automatic. When Rama IX assumed the throne in 1946, the monarchy was in a weakened state. The king earned the love of his people over time through his actions and demonstrable care for his subjects. Had he not become such a forceful proponent for his people and strident critic of communism, the outcome for Thailand may have been different. After all, Cambodia and Laos jettisoned monarchs.

Some have argued the Thai collectively would never have embraced communism because of Buddhism and Thai cultural traits. Certainly, Buddhism is inconsistent with Marxist teachings, yet Buddhist Cambodia and Laos fell to communism. It is also true that Marxism is a philosophy which conflicts with Thai cultural characteristics. Kasian Tejapira argues that one should not dismiss these Thai cultural traits as so antithetical to Marxist thought that the traits themselves would serve to defeat Marxism. He rejects the “complacent, anti-communist, essentialist view that uses the political defeat of Marxism to claim the incompatibility between what is presumed to be the ‘natural cultural essence’ (of Thailand) and Marxist-communist ideology.” (Tejapira 2001)⁹² As Kasian rightly observes, national culture is not an immutable essence that rigidly remains in place but changes and its nature is vulnerable to dynamic internal and external influences.

It is also important to understand that an insurgency did not have to be on the kingdom’s palace steps to have debilitating effects. Had a simmering insurgency continued, tourism would have faltered, poverty, disease, and crime would have increased, crop yields and jobs decreased. Even if an insurgency does not expand, these conditions cause suffering, dissatisfaction, and imperil local government control. Several scholars argue that insurgencies can win simply by not losing, what they call “continuation and contestation,” supported by empirical study. (Metz, Millen 2004) (Cohen 2006) (Christopher, Colin, Beth, Molly 2013, 78)

Bangkok did more than just contain an insurgency, it defeated it, modernizing a nation and improving the quality of life for the Thai people. While foreign investment into Thailand soared and tourism surged, images flashing across television and newspapers around the world showed hundreds of thousands of its neighbors risking their lives to escape harm in the postwar period. As Ruth astutely observed, Thailand, “can legitimately claim, as it does in its monuments, command histories and veterans’ memories, that it came out of the Vietnam War a winner.” (Ruth 2017)

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Footnotes

1. Association for Diplomatic Studies and Training, U.S. Foreign Service, *Thailand Country Reader*, <https://adst.org/oral-history/oral-history-interviews/> with Paul P. Blackburn, interview November 18, 2002, p. 191; Richard A. Virden, interview 2011, pp. 248-250; G. Lewis Schmidt, interview 1988, p. 257

2. Father Michael Shea interview with the author, January 17, 2019, Don Wai, Nong Khai, Thailand

3. Kasian Tejapira, *Commodifying Marxism: The Formation of Modern Thai Radical Culture, 1927-1958* (Kyoto: Kyoto University Press, 2001), p. 135. Field Marshal and Premier Phibun Songkhram and Phao Siyanon, Director General of Thailand's national police, secretly paid for the printing of a previously published Maoist class analysis of Thai society to raise the specter of communism. An early example of embellishment was in February, 1955 when Phibun, prior to the opening of the first SEATO Council meeting held in Bangkok, claimed the Chinese were massing 20,000 "Free Thai" troops near the northern Thai border.

4. CIA, *Communist Insurgency in Thailand*, "National Intelligence Estimate Number 52-66," (Washington: July 1, 1966), p. 5. After communist violence erupted in 1965 in Thailand, the CIA acknowledged that events in Laos probably were the impetus for the growing threat to Thailand: "The Communist subversive campaign in Thailand is a longstanding one but first became significant in 1961 when Pathet Lao territorial gains in Laos opened the way for the Communists to establish guerrilla bases in the Northeast."

5. Siam became Thailand in 1939 and has remained so except for a brief period in 1946-1948.??

6. In 1824 the King of Vientiane Laos, Prince Anouvong (Xaiya Setthathirath) allied with the Vietnamese, conducted a three-pronged surprise attack into northeast Siam; the King of Champasak leading one thrust through Sisaket onto Korat, Viceroy Tisa through Kalasin, and Anouvong charging towards Korat where all the forces would link up. In 1826 he was defeated, but it was not until January 1828 when betrayed by the Lao Prince Noi, was he captured and taken to Bangkok, exposed and publicly shamed, dying seven days later. The Vietnamese king, upon learning of Noi's betrayal of Anouvong, executed Noi. For a modern reading of this account, see M.L. Manich Jumsai, *A New History of Laos* (Bangkok: Chalermnit 1-2 Erawan Arcade, Second Edition, 1971).

7. Initial broadcasts were from Yunnan, China, with later transmissions probably from Vietnam.

8. George Tanham, *Trial in Thailand* (New York: Crane, Russak, and Company, Inc. 1974), p. 56. "There was one report of a People's Liberation Army platoon in the Northeast and the Thais claimed to have one defector from this platoon but this report is still questionable and not fully accepted as being factual." A current Hmong researcher who spends time with the group in northern Thailand told me that according to the Hmong, the PLA sent a military unit of 250 soldiers into Thailand and at least one defected. The researcher spoke on condition of anonymity due to national and ethnic sensitivity. The unit's exact mission remains unknown, but it was possibly related to countering the activities of its enemy, elements of the *Kuomintang's* 93rd Division, China's Nationalist Army which fled China after the communist takeover in 1949 and moved into Thailand.

9. The Economic and Technical Cooperation Agreement signed on September 19 and the Mutual Defense Assistance Agreement, signed on October 17.

10. For a definitive account of the BPP, PARU, and their nation-building efforts see Sinae Hyun, "Indigenizing the Cold War: Nation-Building by the Border Patrol Police of Thailand, 1945-1980," Ph.D. Diss., University of Wisconsin-Madison, 2014.

11. According to Daniel Fineman (p. 133), Lair married the sister of Siddhi Savetsila, former Thai Air Chief Marshal, Foreign Minister, Seri (Free), and Privy Council member. Siddhi's mother was from the influential Bunnag family, his paternal grandfather Henry Alabaster the British consul in Siam during the reign of King Rama IV, later advisor to King Rama V. According to the Air America Lair Interview (which I believe to be in error), Lair's brother-in-law

was PARU commander Col. Pranet Ritreutchai. University of Texas Archives, Special Collections, date incorrectly listed as July 3, 1933, p. 2, <https://www.utdallas.edu/library/specialcollections/hac/cataam/notebooks/sepcop65.pdf>

12. Sources of Success in Counterinsurgency, previously cited; Paths to Victory: Lessons from Modern Insurgencies, previously cited; Ethnicity, Insurgency, and Civil War, previously cited; Thailand (ThailandRN1.2), Thailand, Random Narratives, 2005, previously cited.

13. Some film titles were Mohlam (message of Thai government assistance to villagers); *Railroads of Thailand*; *The King's Ordination*; *The Royal Tour of the Northeast*; *Thai Buddhist Customs*; *Chaiya Camp (provincial police training)*; *A Day in the Life of a Nai Amphur*; *The Trooping of the Colors*; *Agricultural Extension*; *Friendship in the Northeast*; *American Field Service Student*; *New Aircraft* (warplanes U.S. gave Thailand); Women of the Northeast (showing midwives, teachers, housewives and others in various activities).

14. The USOM Hospital Improvement Project also assisted the Thai government in constructing 20 X-ray buildings for provincial hospitals, 11 surgical buildings and 22 other buildings such as nurses' dormitories, physicians' houses, laundries, generator plants, and hospital wards across the country. It also provided special training in the United States for 123 Thai doctors and nurses. (See USOM, *U.S. Economic and Technical Assistance to Thailand, 1950-to date*, Bangkok, May 1959, p. PD-54).

15. Through USOM, by 1996 more than 11,000 Thais had trained in the United States and more than 100,000 Thais had received in-country training, according to the U.S. Agency for International Development (USAID).

16. Tony Zola multiple interviews with the author, Bangkok, 2018-2019.

17. Comparatively, Cambodia, Laos, and Vietnam did not begin to reduce poverty rates until the early 1990s, and still maintain rates higher than Thailand.

18. Of note, USOM employed famed anthropologist Dr. Toshio Yatsushiro from 1962 to 1969 as a researcher for villager attitudes towards development and the Thai government. Yatsushiro developed a specialty working with local indigenous peoples from research projects at the Massachusetts Institute of Technology, Cornell University, the Canadian Government, the U.S. Department of Interior, and the University of Hawaii. He and his research teams spent months at a time living among the locals conducting his research.

19. See USOM's study *Impact of USOM Supported Programs in Changwad Sakon Nakorn* (Bangkok, May 1967), Thailand Information Center,

Chulalongkorn University call number 00032, consisting of three studies, (1) conversations with seventy officials in Sakon Nakhon, (2) a survey among 1200 respondents in the three provinces and, (3) a four-month intensive village study in Sakon Nakhon and Maha Sarakham provinces.

20. As ethnographic researcher William Klausner observed in Thai villages, if villagers viewed government officials as trustworthy, “the chance of his program being accepted will be greatly enhanced, though the villagers have no real understanding or appreciation of its significance and relevance.” See Klausner, *Reflections on Thai Culture* (Bangkok: Siam Society, 1983), p. 67.

Dealing with diversity: State strategies on ethnic minority management in Southeast Asia

*Matthew David D. Ordoñez, Hansley A. Juliano,
and Enrico Antonio B. La Viña*

Abstract—Southeast Asia’s ethnic, political and cultural diversity continues to pose major policy and governance hurdles in enforcing a common community born out of the post-colonial nationalist baggage of almost all the region’s countries. ASEAN’s “non-interference” clause gives leeway to each member state to respond to its ethnic diversity with nation-building projects through exclusionary governance. With this leeway, each Southeast Asian country’s nation-building policies legitimize a particular, existing ethno-nationalist or “ethno-religious” majority at the expense of democratic accountability. This study proposes a preliminary quantitative model which uses regression analysis to compare Southeast Asian countries’ data on their religious and ethnic populations. The initial model categorizes the types of minority management strategies depending on their respective ethnic heterogeneity. This study hypothesizes that a) states with more ethnically homogenous populations will have more exclusionary and violent state policies towards minorities, while b) states with more heterogeneous populations will have fewer exclusionary and violent policies. The results indicate a moderate causality between the two variables and may be correlated with additional variables such as the level of democratic consolidation (as tabulated by the Polity IV democratic index) and the centralized structure of governance.

Keywords: Southeast Asia, nationalism in Southeast Asia, state-building in Asia

The challenge of regional diversity

Studying Southeast Asia as a region remains a constant challenge for area scholarship, due to the region's eclectic characteristics and a seeming lack of commonality. However, one observable commonality among the countries is their ethnically and culturally diverse populations. As a post-colonial region, Southeast Asia consists of young sovereign nation-states plunged into a fast-moving, competitive global system. Their perceived tardiness towards modernity has pressured the nation-states to "fast track" their consolidation of power and resources along trajectories undertaken by non-Asian countries, particularly their colonizers.

This trajectory, while producing some economic "tigers," is not free from problematic elements. Hattori and Funatsu (2003: 145) have written how "the latecomer Asian countries' encounter with Western modernity (through not only modern institutions but also new pieces of knowledge, new values and blue-prints for what societies should be like) had the effect of aggravating or mitigating the conflicts they faced." From this pressure to modernize, these nation-states have made ethnicity-based policies at the expense of vulnerable minorities.

The region's most prominent example of ethnically motivated state action is the still ongoing Rohingya crisis, where Burma's Islamic Rohingya minority have continued to be driven out of their homes by their own country's military since 2015 (BBC 2018a). As of October 2015, the number of Rohingya refugees has risen to 700,000—with the Association of Southeast Asian Nations (ASEAN) being unable to curb this ongoing crisis (Lee 2018). Though the Rohingya crisis is the most violent case, Southeast Asia is still home to more varied, sometimes more benign, types of state-sponsored ethnic exclusion and discrimination (Juliano, La Viña and Ordoñez 2016). For example, in an ethnically pluralist country, Indonesia, the Chinese minority is still denied the right to land ownership (Yuniar 2018). These instances of ethnic conflict, discrimination and violence persist in spite of the many international rules and norms in place against such policies. It is even more peculiar that the state is the main culprit in such atrocities. This complicates the assumed predominance of liberalism even in the electoral democracies within the region. While each country differs in its intensity in managing ethnic minorities, they seem to follow ethno-nationalist logic as a framework to their respective on-going nation-building processes.

This study intends to tackle the following research questions from the aforementioned puzzle: 1. *Why do Southeast Asian countries continue to conduct ethnicity-based policies in the context of 21st century ASEAN ?*; and 2. *Why do some Southeast Asian countries manage their minorities more violently than others?*

For these questions we propose a set of preliminary answers. These initial claims are coupled with a proposed quantitative model categorizing the types of minority management strategies a state employs depending on its respective ethnic heterogeneity. The study operates on the following hypotheses:

All Southeast Asian Nation-states enact policies that favor an ethnic majority while persecuting minorities as a means of consolidating an ethno-nationalist framework.

More ethnically homogenous populations (i.e., large ethnic majorities) within Southeast Asia would be more predisposed to utilize more violent and exclusionary methods for managing minorities.

By contrast, Southeast Asian countries with more ethnically pluralistic or heterogeneous societies (i.e., small ethnic majorities) may be less inclined to commit violent exclusion.

The main objective of this study is to quantitatively describe the region-wide trend of ethno-nationalist policies in managing ethnic minorities and classify each country based on its mode of minority management. We articulate our claim in three ways. The first section summarizes existing literature on the ethnic dimension of nation-building in the region and the variety of policies involved. The second section presents data on the correlation between a country's ethnic diversity and its mode of minority management. The third section presents possible additional variables relevant to the established pattern such as democratic consolidation, economic development, the minority as threat discourse and the structure of government.

The ethnic crisis of modernity in Southeast Asia

As Fukuyama (1989) declared in his now clichéd proclamation of “the end of history,” Southeast Asia remains one of the areas of the globe where illiberal ideologies, non-democratic ideas and nationalisms continue to thrive in one form or another. Interestingly, during the early years after the Cold War, Southeast Asia became a model region in terms of development and state-modernization (Rigg 2004: 3). The paradoxical coexistence of illiberal nationalisms and efficient state-building is a key phenomenon to understanding the current ethnic relations of the state. This section illustrates the consensus within the literature on ethno-nationalism and the policies they motivate from being tied to the emergence of “modern states” in Southeast Asia. However, the literature also provides a wide range of ethnically motivated policies and conflicts beyond the extremes of genocide and violent displacement. As state capacity varies, so do the kinds of actions that the ethno-nationalist state can enact on minorities (Brown 2003: x).

Michael Ignatieff (1995: 8) has discussed the political and ideological conflicts between the ideas of *ethnic nationalism* (based on biological ethnicity) and *civic nationalism* (based on performative acts of citizenship and belonging). He specifically points to how ethnic nationalism is “a revolt against civic nationalism itself.” This does not necessarily mean ethnic nationalism is specifically sustained by authoritarian attitudes and politics nor civic nationalism by democratic values. Subsequent research by Stilz also suggests that while this conceptual distinction exists, “the most developed accounts of civic nationalism currently on offer do not adequately disentangle the state from the promotion of the majority national culture in practice” (Stilz 2009: 260). This contentious relationship between exclusivist notions of national identity and the role of the state in sustaining them is at the heart of the phenomenon we seek to visualize.

As mentioned previously, many of the countries within the region gained sovereignty in the late 20th century. Being a post-colonial region, much of the modernization and state-building processes were motivated by colonial administration and discourse (Reid 2010). Prior to colonial intervention, the region was “state-averse” since ethnic groups remained geographically decentralized and tribal (Reid 2010: 18). Thus, much

of the pre-colonial and colonial ethnic and cultural divides seeped into their state-building discourse, evolving into the nationalist agenda observable today.

Regardless of the area, much of the literature considers modernity and the modern state to be harbingers of classification and legibility. James Scott (1998) articulated the role of the state as an agent of the “administrative ordering of nature and society,” controlling both the physical environment and human populations. Wimmer (2002) strongly argues that ethnic and nationalistic principles are contingent to modernity itself and are the “shadow of modernity.” For Reid (2010: 20), the starting point of Southeast Asian modernity has been “imperial alchemy” or the colonial origins of nation-state in the region.

Politicized dimensions of ethnic identity

Ethnic identity is a complex variable in the social sciences and leads to many methodological issues. Many have tried to distinguish the objective markers of ethnic identity, namely the biological traits and familial lineage, from the subjective markers, namely shared culture, history and imagination (Anderson 2006; Chandra 2006; Malesevic 2006). Such complexity, however, may provide enough flexibility to acknowledge the arbitrary invocation of ethnic identity by state power. Though the idea of nationalism has evolved throughout the years, ethnic identity remains its key ingredient.

Anderson’s (2006: 46) conception of nations as “imagined communities” is one of the most salient ideas on the subject. It complicates the assumption of nationalism relying on seemingly overt signs of national identity. Rather, Anderson’s nationalism comes from shared languages and narratives as propagated by creole intellectuals through early forms of mass communication. When Chandra (2006) attempted to focus on familial lineage as the objective core of ethnic identity, she found it had little to no causality with ethnically motivated violence or discrimination. By extension, Chandra reveals that much of the power in the politicization of ethnic identity lies in the subjective aspects of ethnic identity or psychologically and the emotionally charged aspects of ethnicity. Malesevic (2006: 227) analyzes ethnic identity as an ideology that may motivate both societal inequality and, in extreme cases, mass murder.

Though very much intertwined, nationalism and ethnic identity are still distinct. It is mainly political actors that conflate the two concepts. A common distinction (Stavenhagen 1996; Wolff 2006: 31) is between ethnic-nationalism, which is based on ethnic identity and civic nationalism, which includes immigrants and formalized citizens into the nation regardless of biological traits or familial lineage. The latter nationalism has been more commonly associated with pluralistic liberal democracies. Wolff (2006: 31) further notes that ethnic groups seek self-determination but this does not necessarily lead to independent statehood in the way nationalism does. In his latest work, Wimmer (2018) argues that countries have better political integration with linguistic homogeneity, thus motivating policies favoring a linguistic majority. However, Stavenhagen (1996: 93-94) states the mere existence of shared attributes is not enough to trigger conflict that requires specific actors such as “ethnic entrepreneurs” or ethnic groups which deploy ethnic ideology.

In addition to these, the formation of ethnic identities is further affected by another significant social force: dominant religious identities. The tendency of many Southeast Asian countries to ethno-religious identification has been noted in the literature. Searle (2002: 1) suggested that this is usually “spurred by the conjunction of economic and social marginalization with significant demographic change,” while other research claims that this is neither as clear-cut nor deterministic as implied (with Frith [2000] implying this is also a matter of exposure to relative and reflexive modern conditions), so the reality of ethno-religious identities serving as a mobilizing ideological platform should not be ignored. It is due to these that we employ these three demographic markers (*ethnicity*, *religious identity* and *national identity*) in our model visualization below.

Methods of ethnic management

Besides the subjective and ideological motivations for ethno-nationalism, there are also material conditions that necessitate the management of ethnic diversity. There are two main motivations in nation-state building. First is maintaining political legitimacy among the populace (Horowitz 1993; Wimmer 1997, 2018; Brown 2003), in

order to preserve its authority, presence and unencumbered freedom of action. Second is the consolidation of limited economic resources (Chua 1995, 2004; Wimmer 1997), for the purpose of accomplishing the first motivation. The capacity of each Southeast Asian nation-state varies as much as its ethnic demographics. As argued by Pierre Bourdieu (1994: 15), only by maintaining unquestioned or “doxic submission to the established order” can the nation-state maintain legitimacy and its attendant powers. This, understandably, is more easily accomplished with a relatively-homogenous population. Due to these realities, there are various types of strategy that states employ to manage the ethnic plurality of their respective populations.

Horowitz (1993: 20-21) acknowledges that ethnic identity and its conflicts act as obstacles to even the most democratic countries in the Southeast Asian region. Patterns in ethnic inequality produce changes in inclusion and exclusion from political participatory practices. Wimmer (1997; 2002) argues that ethnic identity is closely linked to state legitimacy particularly in post-colonial states. By the end of the Cold War, many ethnic divides emerged in many countries before civil society took root and turned politics into “an arena of ethno-nationalist competition” (Wimmer 2002: 113). His data found that once an ethnic faction declared independence, many other ethnic minorities also contested independence and claimed autonomy (Wimmer 2002: 88). In a much later work, Wimmer (2013), appropriates Charles Tilly’s dictum of “war-making as state-making” when he observes states using violence against ethnic masses and in favor of a dominant elite.

Despite this resonance in the literature regarding ethnic violence not all ethno-nationalist policies lead to violence. Stavenhagen (1996: 192-202) makes among the earliest classifications of ethnic policies across multiple regions where ethnic conflicts are present. He classifies them into three types: assimilation, where a dominant “nationhood” is imposed on the polity to incorporate immigrants and minorities; exclusion, which ranges from physical violence to institutional discrimination; and pluralism, which permits the multiplicity of ethnic and cultural identities. Despite the frequency of assimilationist and exclusionary policies, Stavenhagen (1996: 202) finds pluralism to be the most common policy. Pluralist policies range from a *laissez-faire* mode, which does not recognize ethnic identity, to a mode that explicitly recognizes these differences and allows for judicious negotiations.

Such policy schemes, despite their commonality and benefits, can have expected mixed effects. While they may guarantee a level of concord and possibly foster positive multicultural contact, perceived inequalities in treatment may become touchstones of public dissent and debate.

Chua (1997) expounds on the more explicitly economic policies and documents the cycle of privatization and nationalization of property in Southeast Asia and Latin America. Once these regions became independent, ethnic minorities began privatizing land and patrimonial resources, leading the government to “re-nationalize” these resources from them. Chua (2004: 17) attributes this trend to the spread of liberal democracy which exacerbated inequality with the rise of market dominant minorities. Here, state policies seem to correct these economic inequalities on ethnic lines particularly against Chinese businesses in Burma and Indonesia.

David Brown’s *The State and Ethnic Politics and Southeast Asia* (2003) is a foundational foray into a region-wide study of ethnic politics in Southeast-Asia. Rather than strict typologies based on variables, Brown uses five specific case countries to highlight particular ethnic dynamics:

- a. Burma exhibits an ethnocratic state where the central government violently crushes ethnic rebellions (23-45).
- b. Singapore has an ethnic corporatist regime that organizes the concerns of different ethnic groups (47-76).
- c. Thailand has an ethno-regional model which favors a core region with economic development policies (109-142).
- d. Indonesians have a neo-patrimonial regime which normally deploys ethnic-identity during elections via patron-client relations (77-108).
- e. Finally, Malaysians exhibit class conflict between the Chinese economic elite and the local Malays (142-179).

In summary, while much of the literature cites Southeast Asian countries as cases on ethnic politics (Horowitz 1993; Chua 1995, 2004; Stavenhagen 1996), there are hardly any other works like David Brown’s (2003) key work that focus on the entire region. Furthermore, though there are clearly distinct strategies, there are not many studies explaining under what conditions would a state favor an assimilationist, exclusionary or pluralist strategy. Such a question may help predict

certain actions of countries under certain conditions. There have been many significant political changes since its publication (e.g., the Rohingya crisis in Burma). Hence, this work seeks to further integrate the region's case with larger theories to either confirm or update certain assumptions on ethnic politics in Southeast Asia.

Reading the region: An ethnic profile of Southeast Asia

This section provides a general profile of the post-colonial development and ethnic majorities within the region. The ethnic profile identifies the ethnic majorities and measures their proportion with the country's population while identifying the religious majority. From here, the coded ethnic majority values are measured against religious majority values to derive a variable that we call religious-ethnicity (R-E) quotient. The data on ethnic composition was sourced from the most recent edition of the CIA Factbook available online as of 2018. While this may not be the most exhaustively accurate picture of the region's ethnic composition, it is detailed enough for the overview purposes of this study. Subsequently, we correlate the R-E quotient with data from the Center for Systemic Peace's *Polity IV Project* on government regime type. These values are possible intervening variables that may affect the type of ethnic minority management each country employs. Finally, this section gives an overview of state actions against minorities throughout the countries in the region.

The qualitative nature of the field and the historicizing tendency of the literature on Southeast Asian politics can give the impression that each country's ethnic minority issues are primarily internal/domestic affairs. It is easy to presume that inquiries on ethnic politics require a clear sense of the distinct cultural and historical developments experienced by each country. This presumption, however, belies the historical record. While each Southeast Asian nation's case and history may indeed be characterized as unique, nearly all of them, with the exception of uncolonized Thailand, had undergone decolonization by the tail-end of the Second World War. At the same time, the vulnerabilities of newly-decolonized states (and the state-building demands each country faced) in the context of the Cold War (1947-1991) definitely contributed to their choices of governance (Goscha and Ostermann 2009)—with a significant impact on their populations, especially their minorities.

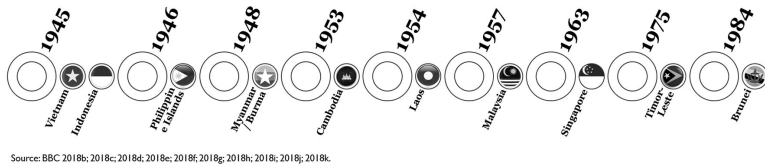


Figure 1. Timeline of decolonization in Southeast Asia

When taking into account the treatment of ethnic minorities it is very important to take into consideration the nature and makeup of the majority population. In this, Southeast Asian nations still have significant differences. However, as is shown in Table 1, there is a clearly visible commonality.

Table 1. Religious and ethnic majority demographics of Southeast-Asian nations (CIA 2016)

Country	Religious Majority	Percentage	Ethnic Majority	Percentage
Brunei	Muslim	78.8	Malay	65.7
Cambodia	Buddhist	96.9	Khmer	90
Indonesia	Muslim	87.2	Javanese	40.1
Laos	Buddhist	66.8	Lao	54.6
Malaysia	Muslim	61.3	Malay	50.1
Myanmar	Buddhist	89	Burmese	68
Philippines	Christian	92.5	Tagalog	28.1
Singapore	Buddhist	33.8	Chinese	74.2
Thailand	Buddhist	93.6	Thai	95.9
Timor-Leste	Christian	97.6	Austronesian (Tetun)	30.6
Vietnam	None	80.8	Viet	85.7

It can be demonstrated that most Southeast Asian countries (save for Singapore, Indonesia, Timor-Leste and the Philippines) range to a near-1:1 correspondence between their ethnic majority and their religious majority populations. This is codified using an *R-E (religion-ethnicity) quotient*, wherein

$$R-E \text{ Quotient} = \frac{(R.M. \text{ Percentage})}{(E.M. \text{ Percentage})}$$

The relationship between such variables is illustrated below in Figure 2.

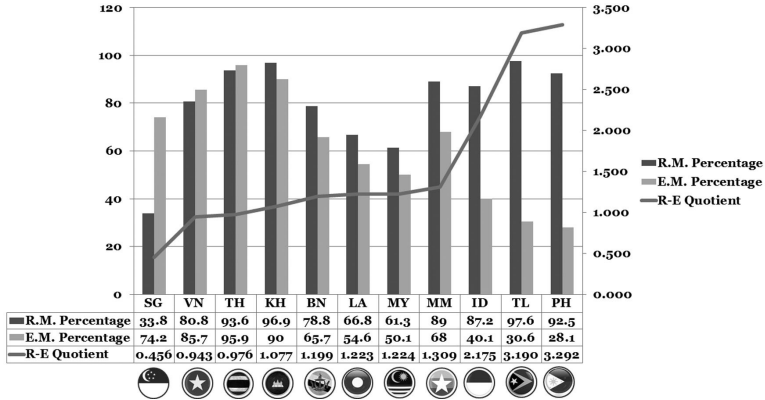


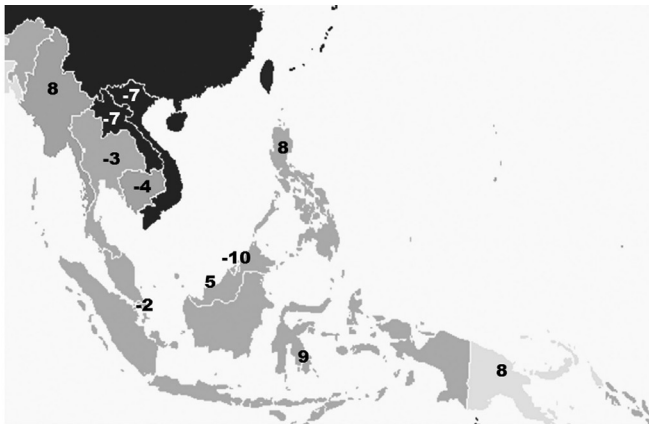
Figure 2. Religion and ethnicity correspondence in Southeast Asian populations

Understandably, there is no demonstrable model suggesting that membership in a dominant ethnic group guarantees membership of a religious majority as well. However, a correspondence between the religious and ethnic identity of a population may provide certain points of consideration. The codification of a common ethnicity and religion into a national narrative is still integral to the state’s capacity to governance and maintaining social cohesion

Such factors can have considerable effects on the kind of institutional evolution a government may take. This can be illustrated by data from the Polity IV Project, an “annual, cross-national, time-series and polity-case format coding democratic and autocratic ‘patterns of authority’ and regime changes in all independent countries with total populations greater than 500,000.” The project “captures this regime authority spectrum on a 21-point scale ranging from “-10 (hereditary monarchy)” to “+10 (consolidated democracy).” The Polity scores can

also be converted into regime categories in a three part categorization of “autocracies” (-10 to -6), “anocracies” (-5 to +5 and three special values: -66, -77 and -88), and “democracies” (+6 to +10).” (Center for Systemic Peace 2018; *emphasis is ours.*)

The 2017 dataset of Polity IV data classifies countries in the region into three categories. Brunei, Vietnam and Laos are deemed to be *autocratic*, while Thailand, Cambodia, Malaysia and Singapore are classified consistently as *anocratic* regimes. Finally, the Philippines, Indonesia and Timor-Leste continue to score along the *democratic* spectrum. Myanmar is an outlier after recently being classified as democratic after years of being considered *autocratic* (1962-2009), and *anocratic* (2010-2015). This change in classification is understandable, considering the longevity of the military junta and the only-recent ascension of Aung San Suu Kyi’s National League for Democracy to government in 2016 (BBC 2018b).



Source: Center for Systemic Peace 2018 (map adapted from Wikimedia).

Figure 3. 2017 Polity IV scores for Southeast Asian countries

To test the quantitative basis for the relationship between population demographic and form of government, we subjected the country cases’ R-E quotient and Polity IV scores to regression analysis. Below are the results.

Table 2 and 3. Regression Analysis Results.

SUMMARY OUTPUT	
<i>Regression Statistics</i>	
Multiple R	0.669404135
R Square	0.448101896
Adjusted R Square	0.386779884
Standard Error	0.727316728
Observations	11

	Intercept	X Variable 1
Coefficients	1.512017867	0.085993612
Standard Error	0.219770454	0.031811635
t Stat	6.879986999	2.703212546
P-value	7.23E-05	0.024265699
Lower 95%	1.01486256	0.014030693
Upper 95%	2.009173174	0.157956531
Lower 95.0%	1.01486256	0.014030693

The regression analysis returned a Multiple R value of 0.669- or around 66.9%. Furthermore, the residuals returned an x variable coefficient of positive 0.085993612. Both these results suggest a moderate positive correlation between a country with a visible ethno-religious majority and that country having autocratic or anocratic regimes. In brief, it suggests that if a Southeast Asian country's population is near-homogenous, there will be significant basis for a government to primarily appeal to the majority even at the expense of excluding their resident minorities.

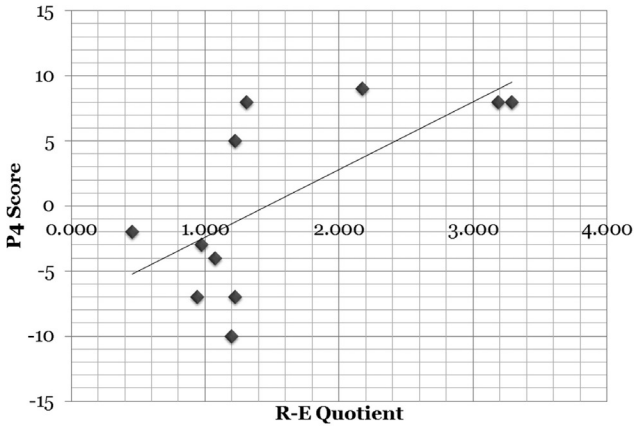


Figure 4. Regression analysis scatterplot of data.

Logically, countries with solid majorities, particularly countries with insecure borders and emerging political cultures, have larger bases for governments which tend to centralize power—at the expense of wider representation and devolved powers at the local level. Nevertheless, it would be wrong to assume that these developments are set in stone.

The historical events experienced by Southeast Asian nations for most of the 20th century, as we will detail below, suggest such developments have tended to be triggered by particular historical flashpoints and crises. In the case of Southeast Asia, most of these events occurred during the context of the Cold War and the early years of regional decolonization. At the same time, there are also long-standing enmities between ethnic groups which can be traced to historical, pre-modern conflicts even prior to colonization—and some of these conflicts have been elevated the moment one particular ethnic group became the dominant population in a Southeast Asian country immediately after decolonization and partition.

We managed to document, via archival analysis as well as recent local and international news coverage, the history of minority populations within nine Southeast Asian countries. The most relevant facts for each country have been listed in Table 4.

When a nation-building ideology develops towards an homogenous narrative, it is likely to gloss over the actual ethnic composition of a society. Anderson (2006: 110) acknowledged this when he pointed to how “[i]n almost every case, official nationalism concealed a discrepancy between nation and dynastic realm.” This poses significant risks to ethnic minorities, whose perceived non-compliance to the dominant identity renders them vulnerable to varying levels of management. As shown in Table 4, it is the countries that a) have had long histories of autocratic and anocratic governments with b) a significant level of population homogeneity (Thailand, Myanmar, Laos, Malaysia, Vietnam and Cambodia) that have been known to engage in violent and exclusionary policies against its minorities.

Table 4. Summarized data on documented actions towards minorities in Southeast Asia¹

<i>Country Case</i>	<i>Minority</i>	<i>Historic Conflict Point(s)</i>	<i>Modes of Treatment</i>
Thailand	Pattani, Yala and Narathiwat Muslims	1909 Anglo-Siamese Treaty	Illegal execution & torture
		The Pattani Insurgency	Other human Rights abuses
Myanmar	Rakhine / Rohingya Muslims	1948 Post-Independence Conflicts in Arakan	Dispersal/deportation
		The Rohingya Crisis	Abetting human trafficking “Mass graves” & denial of asylum Burning of mosques
Laos	Highland/lowland minorities & Hmong	The Secret War	Highlanders: forced relocation / reeducation
			Hmong: killings and persecution
Malaysia	Malay-Chinese	1964 “race riots”	Bumiputera / NEP policies
		Singapore’s secession	

Table 4. Summarized data on documented actions towards minorities in Southeast Asia¹

<i>Country Case</i>	<i>Minority</i>	<i>Historic Conflict Point(s)</i>	<i>Modes of Treatment</i>
Vietnam	Hmong, Dega-Montagnards, Khmer-Krom	The Vietnam War	Hmong: economic / social services neglect
			Dega & Krom: cultural & religious persecution
Cambodia	Viet	The “Killing Fields” & Ethnic Cleansing	Denial of citizenship
			Human trafficking
Indonesia	“Nonprotected” religious minorities	1965 Blasphemy Law	Non-approval/ destruction of houses of worship;
		Decrees on Houses of Worship	Blasphemy/conversion prosecutions
		2008 Anti-Ahmadiyah Decree	Non-prevention of minority mob killings
Philippines	“Moro”	American-era discrimination	Mismanagement of ARMM
		Martial Law (1972-1981) & the Separatist Movement	Arroyo-era support of local strongmen
		Global Terrorism	Island-wide “martial law” (2009 & 2017)
		2015 Mamasapano Clash	Uncertainties of the BBL Process (under Aquino and Duterte)
		2017 Marawi Siege	
Singapore	Malays, Indonesians, “others”.	1982 Mendaki	MIO’s: unequal economic opportunities
	Immigrant “workers” & “talents”	“CMIO” vs. immigrants	Immigrants: unequal “employment pass” access

Source: Juliano, La Viña and Ordoñez 2016; 2017.

By contrast, modern-day Indonesia and the Philippines are countries with a significant disconnect between their ethnic and religious majorities, as well as a relatively-higher level of democratization in the region. While it does not guarantee that minorities in such countries are protected from violent forms of discrimination, such policies tend to be unsanctioned by their government, therefore demonstrating shortcomings in governance rather than embedded institutional prejudices against minorities.

Singapore is another outlier as a country with an anocratic government but one that conducts assimilationist policies vis-à-vis its minority populations (albeit employed inconsistently). This may be explained by Singapore's structure as a cosmopolitan space—despite its limited land mass for its growing population. This contradiction provides an opportunity for partitioning policies between its “prioritized residents” and its migrants, who are treated as potentially destabilizing elements (Juliano, Ordoñez and La Viña, 2016: 98).

Analysis: Towards a new typology?

This section presents a typology-based ethnic profile of the countries in the region. We subsequently compare each country via the type of ethnic policies deployed by their respective states. In testing our hypothesis, this study uses the level of ethnic homogeneity or the proportion of the ethnic majority to the population as the independent variable. From there, the countries are classified in the compass from a continuum between pluralist states or countries that permit multi-ethnic countries, and exclusionary states or countries that perform more overt policies of violence and discrimination against ethnic minorities. The typology assumes that while all the countries have an ethno-nationalist agenda, their respective state's capacities in relation to their respective ethnic and demographic profiles are necessarily limited to committing outright genocide or the exclusion of multiple minority groups. Thus, more homogenous societies may be more inclined to overt exclusion while heterogeneous societies remain pluralist or perform less violent exclusion.

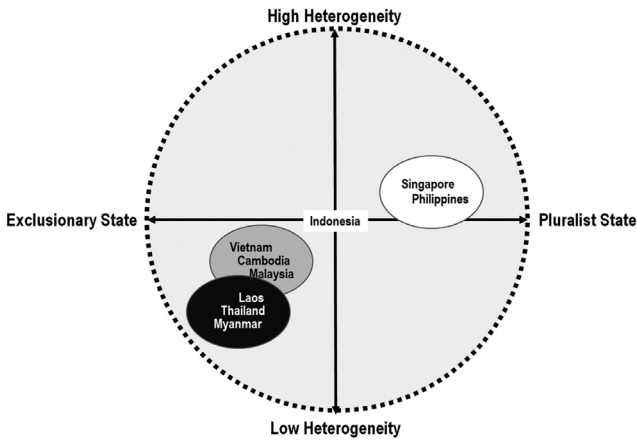


Figure 5. Compass of ethnic minority management based on ethnic heterogeneity

The data shows the negative relationship between the level of ethnic heterogeneity and the level of state violence against ethnic minorities. The relationship between the two variables can be divided into four quadrants. In the upper-left quadrant are countries that have both a high level of ethnic heterogeneity and a relatively exclusionary state, while in the lower-right quadrant are cases of states with low levels of ethnic heterogeneity and a relatively pluralist state. The absence of Southeast Asian countries in either quadrant supports our hypothesis that more homogenous populations are more likely to have exclusionary and violent state policies towards minorities, while less homogenous populations have fewer exclusionary and violent policies.

In the upper-right quadrant are countries that have high levels of ethnic heterogeneity and a relatively pluralist state. The lower-left quadrant shows countries that have lower levels of ethnic heterogeneity and a relatively exclusionary state. Thus, Southeast Asian countries either have low heterogeneity and a force-based governance strategy towards minorities (Laos, Thailand, Myanmar, Vietnam, Cambodia and Malaysia) or have high heterogeneity and less violent governance strategy towards minorities (Singapore and the Philippines). Indonesia is the exception in the region as it cannot be neatly categorized as a

high-heterogeneity/pluralist or low-heterogeneity/exclusionary state. Still, an examination of Indonesia's governance of ethnic minorities supports its classification as a pluralist state. An analysis of each country's regime type explains its respective minority-governance strategies.

Southeast Asia "presents a perplexing political patchwork" since the region is home to electoral democracies, authoritarian regimes and regimes that have both the competitive and authoritarian characteristics of varying state capacities (Slater 2010: 7). Hence, there are regime distinctions even within the exclusionary state and exclusionary state categories. In the case of the exclusionary states, Thailand, Myanmar and Malaysia are all countries with centralized authorities, while Vietnam, Laos and Cambodia are communist-led states. Communist-led states in Southeast Asia, on the other hand, are characterized by "closed and nominally communist political systems with open and mostly competitive market economies" (Reilly 2013). As for pluralist states, the Philippines and Indonesia are both considered to be personalistic regimes, which are defined as states "where factional dynamics revolve almost exclusively around access to patronage resources distributed by the dominant leader" (Fionna and Tomsa 2017). According to Winters (2011: 135), these personalistic regimes are dominated by oligarchs whose near-monopoly of legal institutions is complemented by the "vicissitudes that accompany personalistic rule." Singapore, in contrast, is characterized by Levitsky and Way (2002: 53) as an electoral authoritarian regime due to "the uneven playing field between government and opposition."

An examination of Southeast Asian regime types indicates a relationship between the degree of authoritarianism and whether they can be characterized as exclusionary states. Countries like Thailand, Malaysia, Vietnam, Laos and Cambodia are more likely to employ exclusionary management mechanisms. Myanmar, while classified as democratic by Polity, is still dominated by the military which led the expulsion and massacre of the Rohingya (Wong 2018). Pluralist states, on the other hand, are relatively more democratic, as demonstrated in the cases of the Philippines and Indonesia, which have been less intrusive in the affairs of minorities. The exception is Singapore, which has a Polity score lower than Malaysia and Myanmar. Singapore, in contrast to the

Philippines and Indonesia, “developed institutions and systems that would allow it to control, manage and harness its residents’ diversity towards state-defined interests” (Juliano, Ordoñez, and La Viña 2016: 75). Hence, while exclusionary policies in Singapore are rarely explicit or violent, they are nonetheless enforced with a severity and consistency while affected groups can hardly contest them in a systemic, political process-oriented manner.

Conclusion

This study has presented data showing a moderate correlation between ethnic homogeneity and the types of ethnic minority management a state employs. The region, indeed, currently experiences ethno-nationalist policies, albeit with constraints. Though our model admittedly paints many broad strokes across the countries in the region, these results justify further elaboration on the particularities of each country and the general type of management. There are also further opportunities to test other intervening variables such as the level of democratization and economic development. Democratic and authoritarian countries necessarily have different norms regarding minorities and will definitely complicate the model. Another variable worth testing is religion, another ingredient of nationalism which remains relevant for certain countries such as Thailand and Malaysia but may not be as significant in others. This study presumes ethnic minorities to be politically-neutral elements and would benefit from distinctions between minorities actively engaging in forceful or violent resistance, as well as those who have chosen non-violent engagement. Overall, despite the preliminary nature of its findings, this study is an important initial step in understanding the logic behind the current ethnic minority crises throughout Southeast Asia.

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South China Sea contestations: Southeast Asia's regional identity and ASEAN's sustainability

Victor R Savage

ABSTRACT—Current global news is focused on China's territorial claims in the South China Sea and the ensuing clash with the United States over the "freedom of marine navigation." Against this background of territorial claims lies the complex history of old Asian civilizations which undergird no easy resolution of such territorial issues. This paper interrogates the region's cultural identity paradigm arising from China's territorial claims, the US-China hegemonic global contestation, the US-China trade war and ASEAN's responses to the changing geopolitics and extension of China's geography. It argues that both domestic changes and externalities are affecting ASEAN's regional cohesion.

Keywords: South China Sea, regional identity, Chinese diaspora, code of conduct

Introduction

As if to rebut Obama's "pivot" to Asia and "rebalancing" policies, China's current leadership has added muscle and militarization to its bold and daring South China Sea claims. These underscore the territorial claims to this area on China's 1947 nine-dash map, an issue that remains politically sacrosanct for Beijing but legally unacceptable to the global community. Such geographical expansionism is most worrying for countries in Southeast Asia with which China shares both land and maritime borders. The sheer size of the colonized takeover of 90 per cent (or 3,150,000 sq. km.) of this sea has sent out shock waves internationally and evoked political unease amongst Southeast Asian states. The nationalization of the South China Sea has meant China has unilaterally invited itself into the region and the reality for ASEAN members is that they have to live with an elephant in their room.

The rebuttal of these claims came internationally and legally when the International Tribunal for the Law of the Sea in The Hague on July 12, 2016 flatly rejected China's territorial claims to the South China Sea and to its many islets, shoals, rocks and reefs. Having earlier stated it is not party to the Tribunal, China was neither moved nor concerned about the verdict. Beijing believes the international legal order is stacked against it and if it becomes the global hegemon, it will want to change this. But by ignoring the global legal order, the world community's opinions and the region's perspectives, China is undermining its own acceptance as a responsible global player. The subtext to China's belief of big powers matching one another and speaking to one another minus the noise of small states is worrying for small states in ASEAN. To avoid having the South China Sea ruled by the law of the jungle, ASEAN members feel it is imperative to put in place an international legal order.

The onus of preventing the law of the jungle determining territorial issues has fallen on the United States and other powers (Japan, India and the European Union). Enter Trump, the surprise American President, and the whole global geopolitical system has become topsy-turvy. Unlike his predecessors, President Donald Trump has his own ideas and agenda about the global political and economic system. He is incensed by the way in which America has been taken advantage of by its allies, the senseless expenditure on wars and the deteriorating American economy. Trump has come at a time when the supposed Thucydides trap is unfolding: the new power change is a rising China and a declining American hegemon (Allison 2017). It remains to be seen whether Trump can arrest the US decline as a global power. He seems to be throwing everything at China to stop its global rise. His imposition of 25 percent trade tariffs on US\$200 billion Chinese goods in May 2019 after the breakdown of US-China trade talks led to a quick retaliatory response from the Chinese that has sent global markets into free fall. The US-China deteriorating relations are difficult enough to contain much less address because their two leaders, Trump and Xi, are staunch nationalists, with egoistic and strong personalities, are willing to take bold decisions, and are interested in maintaining their global power advantage (Wolff 2018; Luce 2017; Allison 2017). While currently the

US has the advantage in military might, the Chinese are seen as being ahead in technology, particularly in 5G technology.

At the center of the US-China technology competition is China's Huawei Technologies and ZTE Corp, which have perfected a 5G technology that the Trump administration believes can be used in spying activities. In August 2018, the Trump administration put into force a ban on the government using equipment from Huawei and ZTE Corp. President Trump further increased pressure on Huawei when, on 16 May 2019, he blacklisted the firm's imports into the US. Essentially, Huawei's equipment will be banned from sale in the US (Lim 2019: 1). The collateral damage to Huawei from Trump's actions is widening the trade war between China and the US. In contravention of explicit warnings from the US against Huawei, many Western countries are engaging Huawei to gain access to 5G capabilities. The US and China are more evenly matched in global economic competition and, unfortunately, that is where the global and regional impact will be pronounced and long drawn out as each hegemon tries to outdo the other economically. The current economic stalemate between the two countries will decide once and for all the speculation as to which economy is stronger. Given President Trump's criticism of past US administrations' extravagant expenditure on wars (US\$ 6 trillion since 2001) and his personal aversion to wars it seems unlikely that Trump will want to engage in a war with China in the South China Sea.

Given the unpredictability of Donald Trump, his nationalistic "America First" ideology, domestic economic interests and a distrust of multilateral pacts, ASEAN states have been left in a political quandary. ASEAN states have suddenly become divided over foreign policy, with some taking positions on both sides and the remaining states becoming fence-sitters, biding their time to see how to align themselves with the future powers in the region. For the first time in the fifty years of its existence (1967-2017), ASEAN is at a major geopolitical crossroad. The question is whether the cultural glue that has held it together for fifty years has been eroded. The "ASEAN Way," the operational system of settling disputes and negotiating problems through *gotong royong* (a congenial way of reaching agreement and common understanding)

and consensus building has been challenged by the assertive China factor. For ASEAN states, the sudden rise of China as a global hegemon is difficult to embrace, given its decades-long acceptance of the US strategic umbrella, its dependence on Japanese economic backing and its comfort with Western cultural norms due to colonialism.

The focus of this paper is about the future of ASEAN as a regional organization, with China's bold claims to 90 per cent of the South China Sea and its many islets, shoals and reefs. While China might apply its own national logic to the South China Sea, the states in ASEAN also feel committed to defending their maritime turf, their geopolitical backyard, their own national territories and their socio-cultural traditions. The question that academics, business people and political leaders have to face is how these claims of China's will impact the future of ASEAN and the region's identity and cultural commonalities. Will the new rising hegemon change the regional equation? Will China's unilateral territorial expansion into the region disrupt the hitherto peaceful cooperation amongst states in ASEAN? Will China's and President Trump's avowed bilateral diplomacy undermine the cohesiveness of the region and divide ASEAN as a regional organization? In response to the answers to these questions, one needs to resurrect Professor Wang Gungwu's query whether the heritage "of fear and suspicion of China is still justified"? Based on the 105 papers in Yang Razali's (2017) edited book on *The South China Sea Disputes*, one can tentatively conclude that wariness of China is still palpable in the region.

Southeast Asia's regional identity

Southeast Asia's identity remains a nebulous issue. Academically, scholars continue to argue and debate over the identity of the Southeast Asian region. One school of thought believes the region does not have a regional identity or commonality of culture as propounded by its most ardent proponent, the American political scientist, Donald Emmerson (1984). The other school of thought believes the region has a commonality of culture and hence a clear regional identity (Jumsai 1997), best articulated by the British historian, Oliver Wolters (1999), and the American anthropologist, Wilhelm Solheim II (1985).

In prehistory, archaeologists debate this issue in a similar fashion. The “long daters” belong to the regional identity school which asserts that many innovations (socketed axes; agricultural origins, the domestication of animals and plants; Dongson drums; blow pipes, outrigger boats) originated in the region and diffused outwards to other regions. The “short daters” believe that much of the region’s material prehistoric culture was diffused into the region from other cultural areas (China, India) and became part of the region’s culture. Hence Southeast Asian prehistoric culture is seen as a “borrowed tradition.”

Geographers divide regions into two types in regional geography: the “formal region” (regional identity and commonality of culture) and the “functional region” (a region based on common functions). In Southeast Asia, one might see these “regional” concepts as an integration of a basic “regional identity” (the cultural bedrock of the region) overlaid by a functional regional organization of ASEAN. Hence while the region might appear “congenitally untidy and unwieldy” according to Thai public intellectual, Thitinan Pongsudhirak (2017: 13), for regional geographers, Southeast Asia exudes a “character” and “personality” of its own.

Essentially, the two schools of thought reflect two methods by which innovations are said to be found in the region. One area of thinking belongs to the “diffusion school” with the Austrian prehistorian, Robert Heine-Geldern, proposing his famous eight-wave migration theory of Chinese migration into the region with each succeeding migrant group bringing (or diffusing) into the region its material culture, social systems and ideational beliefs. Hence according to Heine-Geldern’s wave migration theory, all Southeast Asians are by-products of early Chinese migration waves in the region.

Other academics believe Indian culture and religions diffused and fertilized the region. Historians like George Coedès (1968) discussed the strong Indian cultural diffusion in the region based on his Indianization thesis. Sheldon Pollock (2006) took the Indianization of the region one step further by arguing that the Sanskritization of the region unfolded as a continuing process in the same way as in India. The region and India were thus viewed as one macro-region and not as two distinct regions but divided by many kingdoms within. The historical geographer Paul Wheatley argued that Indianization lifted the region from culture to civilization.

Other academic thinkers are critical of Heine-Geldern's theory of migration and believe in the "indigenous origins" of cultural artifacts, social systems and economic production systems. Hence the region produced its own cultural elements from communities who were domiciled within varied ecosystems in the region. The foremost advocate of this indigenous cultural origins thinking for over 40 years has been anthropologist, Geoffrey Benjamin (2002), a long-time faculty member of the National University of Singapore (NUS) and now, Nanyang Technological University (NTU). Not only did the region create different modes of production and cultural systems to fit their ecological regimes (hunters and gatherers; swidden cultivators and sedentary sawah cultivators) according to Benjamin (2002), the region was also the cultural origin of the diffusion of communities in the Pacific (Micronesia, Polynesia) and Indian (Malagasy) Oceans (Bellwood 1985; Solheim 1970).

The Southeast Asian regional identity is torn between two defining systems. The idea of a "formal" region based on the commonality of culture and history has not been accepted by social scientists. The idea of a functional region based on economic-political relations has come into existence with the formation of ASEAN. In 1967, when the five founding members of ASEAN were initiating the regional organization, they invited Sri Lanka to join them but the Sri Lankan government declined. ASEAN's founding fathers were clearly thinking of the region in "functional" terms (states cooperating towards practical, functional objectives). Two decades later, in the 1980s, Sri Lanka under President J.R. Jayawardene asked to join ASEAN and was politely turned down. ASEAN members had changed their minds and became cognizant that the region was culturally different from the South Asian culture to which Sri Lankans belonged. Fast forward and we have Timor Leste (East Timor) asking to join ASEAN. Some members have objected. Once again, the ASEAN community had become aware that the Timorese were closer racially (Australoids) and culturally to Melanesian culture than Southeast Asians (Mongoloids) and culture (Austronesian; Mon-Thai). ASEAN's political leaders are beginning to accept cultural commonality in the region which forms the bedrock of the region's bonds and the ASEAN Way of engaging in dialogue and settling disputes.

Over fifty years ASEAN has developed into a successful regional organization generating national development and defending regional peace. The Vietnam War (1968-1975) was an externality, a product of the Cold War. Amongst its member states, ASEAN has remained quite cohesive and cooperative. ASEAN states accept a modern functional system: hence they have chosen to settle disputes legally and accepted the verdicts of the International Court of Justice, whether between Indonesia and Malaysia over the Sipadan and Ligitan islands; Singapore and Malaysia over Pedra Branca/Pulau Batu Putih; and between Cambodia and Thailand over the 11th-century Preah Vihear temple. These successful bi-lateral legal settlements underscore ASEAN's interest in creating a code-of-conduct with China over the South China Sea.

The internal cultural fragmentation of ASEAN has come from various issues. Firstly, the expansion of ASEAN brought in mainland states which added to the political and cultural complexity for the regional organization to handle. The four new states of ASEAN, Cambodia, Laos, Myanmar and Vietnam were not at the same economic level as the six former ASEAN states and put a strain on the economic cohesiveness of the organization. The disparity of per capita GDP between countries is almost one to twenty-five: Singapore's US \$87,000 compared to Cambodia's US\$3,700. Despite its requests, Timor Leste's inclusion into ASEAN had been declined: some ASEAN members having felt that the country would have put more economic strain on the organization. Secondly, the new states and their socialistic political leanings were also not in keeping with the more democratic-capitalistic regimes of ASEAN's original members. Political accommodation needed to be created to ensure the organization spoke with one voice. This meant more political dilution in decision-making. It took several decades (the Manila ASEAN meeting under Aquino) for ASEAN leaders to adopt a more modern approach to decision-making, by majority vote, rather than the old system of complete consensus by heads of governments.

Thirdly, the long colonial experience in the region fostered divisions amongst states, where state borders impeded the former traditional ease of peoples moving within the region. Many ethnic groups, especially hill peoples, found themselves contained within several independent states. Thus the Hmong were fragmented across Thailand, Laos,

Cambodia, Vietnam and even China. As Philip Bowring (2019: xvii) in his *Empire of the Winds* observes “Western imperialism, has added new divisions to older ones” and hence the same sense of “cultural identity” no longer exists in the region as in India and China. Former BBC correspondent Humphrey Hawksley (2018: 59) argues that, compared to the European, Middle Eastern and Latin American regions, the Southeast Asian region “has no predominant culture, way of life or standard of living.” The colonial period also allowed Asian migrants (mainly Chinese, Indians and Arabs) into colonies which remain sticking points in nationalism today. The most serious political vibrations are continually played out in states: the Vietnamese Chinese ‘boat people,’ anti-Chinese riots in Jakarta in 1998, the Malay-Chinese tensions in Malaysia since the May 1969 racial riots and, currently, the intractable Rohingya problem in Myanmar. The purge of South Asians from Myanmar is not new, Indian Chettiers were removed in 1948 as they were seen to be dominating the rural economy. Though Myanmar might be next door to the South Asian region, the government leaders exhibit highly nationalistic beliefs underscoring primordial attachments. Fourthly, the sweeping tide of Islamic “fundamentalism” in Brunei, the southern Philippines, Indonesia and Malaysia threatens the cohesiveness of the multi-racial fabric in many ASEAN states. The rise of Islamic identity in the region has been exploited by external terrorist groups which have periodically caused mayhem in Indonesia, Malaysia, the Philippines and southern Thailand. If one can use the recent Islamic terrorist bombings in Sri Lanka as an example, it is evident that if states let their security guard down, the externally inspired terrorists will strike with devastating impact. The unfortunate reality is that no ASEAN state with a sizable Muslim population will be spared from Islamic terrorism; the intent is to cause political chaos, undermine inter-religious and inter-racial harmony in the state and to embolden Islamic identity at the expense of national identity.

Historical verification of the South China Sea: What's in a name?

History has no course. It thrashes and staggers, swivels and twists, but never heads one way for long. Humans who get caught up in it try to give it destinations. But we all pull in different directions, heading for different targets, and tend to cancel each other's influence out. (Fernandez-Armesto 2010: 311)

This interesting quotation from the celebrated British historian Felipe Fernandez-Armesto says something about historians, leaders and states trying to make meaning out of historical developments. When historical issues are used for formal documentation, they become debatable in many of today's geopolitical issues, territorial claims, colonization and maritime disputes. Worse still, when historical interpretations are taken as legal facts, they can be contentious and become the cause of conflicts among states.

Ironically, because Asia is home to some of the oldest civilizations, history is often used as a bedrock by societies to interpret and understand current situations. China's use of historical documentation for its air and maritime claims over the South China Sea needs to be considered in relation to other factors, since the Southeast Asian communities have relied on an oral tradition for most of their history.

Firstly, the long duration of continuous civilization over 4,500 years gives China superiority in defining the history of its states and surrounding areas. China is resurrecting its past imperial history to lay claim over islands and seas defined under rather general and tenuous geopolitical circumstances. It wants to resurrect colonialism in the 21st century. Essentially Beijing's claims are two-fold: a) it is claiming a major marine highway, the South China Sea, which has been used for millennia in shipping traffic between East and West, between the Pacific and Indian Oceans as well as regional marine traffic; and b) it is also claiming many islets, shoals and reefs in this large sea, which are subject also to counter claims by littoral states, Brunei, Malaysia, the Philippines and Vietnam, as well as Taiwan.

The Chinese use of recorded history disadvantages Southeast Asian states who can be best portrayed, in Eric Wolf's (1982) terminology, as "peoples without history." But when civilized Europeans met uncivilized communities "without history" it was still a two-way exchange of knowledge and ideas. China's claim, based on its dynastic records, shows a disregard for the region's non-literate communities who have a rich record of folk culture, oral history, celestial mapping and indigenous science of navigation and migration of the seas in the region (Bellwood 1979).

Secondly, historical writing tends to be based on subjective interpretations. Many territorial borders in the region were defined by colonial powers and not the indigenous state delineations of the former Indianized and Islamic empires. With their access to cartographic abilities, colonial states were created by cartographic means as Benedict Anderson (1991) argues. While the islands of the South China Sea are claimed by Vietnam, the Philippines, Brunei and Malaysia as their territories, they were originally based on the colonial territories of France, Spain and Britain. Even Thailand, a country never colonized, learnt the colonial method and defined its state in the 19th century by cartographical means, thereby creating the geo-body of the Thai state as Thongchai Winichakul (1994) states. These arbitrary definitions of states by cartography do not take into consideration the cultural and primordial attachments of indigenous peoples in former defined states.

Thirdly, the Chinese references to reefs, islets and shoals in the South China Sea were probably navigational markers for their mariners plying the sea; they were not territorial claims of their emperors. China's traders and mariners plied the South China Sea for spices, gastronomical delights and natural resources in the region and not for territorial conquest (Brook 2015). For centuries, China was a terrestrial empire and hence more concerned with keeping out marauding invaders from the West by building the Great Wall of China than demarcating borders in the sea. The notion of walls as borders is so embedded in Chinese culture that even its most popular game, *mahjong* is based on "walls" in front of each of the four players. Despite the long period of Chinese dynastic rule, only certain dynasties (Han, Tang, Song, Yuan and Qing) were well developed and had some level of territorial legitimacy. There

were many periods in its history where the historical continuity of its civilization was questionable, when outsiders (Manchus and Mongols) were interlopers in its political system. Beijing's emboldened territorial claims can be seen in terms of Prasenjit Duara's (2004) "contingent history." Its current rising global status has shaped its historical narrative.

Fourthly, just because Southeast Asian societies did not keep written records of place names in the South China Sea does not mean that such communities did not know of these islets, shoals and reefs. Southeast Asians have a long history as maritime peoples—the sea nomads or orang laut plied these seas for centuries (Sopher 1977). Indigenous seafarers and fishermen certainly had names for the many marine landmarks in the area. Take the name of the rock outcrops, Pedra Branca, south east of Singapore. It really became known and significant in the 16th century because Portuguese seafarers translated the native name Batu Putih into Portuguese as Pedra Branca ("white rock"). Certainly Philip Bowring's (2019) excellent book on the region's Nusantaria demonstrates the archipelago has fostered many maritime kingdoms, was the source of intra- and international regional trade and created one of the most dynamic maritime regions in the world. Given that the region's seas, island world, mangroves and coastal ecotones were a way of life, genre de vie and source of economic activity, it is difficult for the Chinese authorities to believe the region's population had no claims over the South China Sea. At the end of the day, one cannot discount that indigenous names prevailed before Indian, Arab and Chinese traders, pilgrims, sailors and entrepreneurs came to the region. The region has already gone through a period of decolonization in place names. If China's claims are legitimized, then all the islets, reefs and shoals in the South China Sea will be recolonized again with Chinese place names replacing indigenous place names, thereby changing Southeast Asia's regional identity. While currently, the global community accepts the South China Sea toponym (place name), over history, this sea has been referred to by other names: Bahr Sankhai or Spice Sea, and the Philippine Sea.

If one goes back to prehistory, one can assume the Austronesians (4,000 years ago) developed communities within this maritime region. The Austronesians fertilized the regional culture and gave birth to a long tradition of sea-faring across Oceania and the Indian Ocean to Malagasy

(Bellwood 1979). Given that they were illiterate for centuries, they could not legitimize in writing the territorial ecologies that they lived in. But in their spoken languages they had much knowledge of the seas they fished, travelled, swam and mined for natural resources. The indigenous Southeast Asians especially from the *Alam Melayu* (Chams in Vietnam and Cambodia; the Philippines, Brunei, Malaysia and Indonesia) were the original inhabitants and voyagers of the South China Sea. Unlike the Southeast Asian thalassic kingdoms (Funan, Sulu Sultanate, Brunei, Bugis, Srivijaya Empire, Malacca, Temasek-Singapura) which were maritime powers (Bowring 2019), China was for most of its history a land-based civilization. Apart from the blip in history when Admiral Zheng He traversed the region's seas, the Celestial Empire was never seen to be a maritime power though many thalassic kingdoms in the region, periodically, gave it tributes.

Finally, historically and from an international legal perspective, despite the territorial grab and colonization of lands, the seas remained open areas of non-territorial claims. This idea emanated from the Mediterranean seas. Despite the fact that the Roman Empire called the Mediterranean Sea *Mare Nostrum* or "Our Sea," in terms of classical jurisprudence the seas were the property of all people and a "global commons" (Paine 2014: 388). This international practice to keep seas international, open and the global commons is something the international community adheres to informally. Hence China's claims over the South China Sea, which has traditionally been an international highway of trade, commerce, commodity shipments and personal travel is controversial to the international community. China needs to accept sharing the "regional commons," in which all parties have a stake in the South China Sea without monopolization. Given the importance of this sea to regional and global navigation, there is a need for all big and small states to cooperate and coordinate efforts to keep it open, secure, peaceful and treated respectfully as a regional "commons."

For ASEAN states, it is difficult to see how an external party like China can claim the South China Sea as part of its territory when the region's states (Vietnam, the Philippines, Brunei, Malaysia, Thailand and Indonesia) encase the South China Sea and have used it for centuries as a passageway for navigation and travel. It should be kept open to all

parties in a pragmatic and cooperative manner and as part of China's bigger project of a One Belt, One Road system. In this way ASEAN can extend its "functional regionalism" to include other parties including Japan, Australia, India and South Korea. The South China Sea is 1,600 km away from China's borders but ASEAN countries would welcome China's active participation in trade, travel and development. China is already engaged in development in all ten ASEAN countries, so why is there a need to territorialize the South China Sea? Furthermore, Chinese militarization of this sea unnecessarily increases regional tension which bears no common good for all parties who use it for peaceful trade and economic activities. China's overt militarization of the South China Sea contradicts its assurance to states of its policy of its "peaceful rise" and "peaceful development." China's Belt-Road Initiative, while seemingly demonstrating its inclusiveness, provides many rough-rod short-cuts to providing a security scaffolding, economic network and political control over its numerous small state neighbors.

China's externalities in the region

Seen from a strategic and geopolitical perspective, Beijing's quest to legitimize the South China Sea as its national territory can be interpreted as a product of geopolitical externalities and much less of national interest. In the historical context, China has always been an insular civilization, introverted and self-contained, for two reasons. On the one hand, it has had arrogant emperors and elites who always believed they were culturally superior to their neighbors. Hence China believed they were the Middle Kingdom as "center of the world" and their neighbors were all barbarians. Given its pivotal ego-state perspective, for centuries, its emperors never saw any interest in expanding its territorial domain to culturally inferior neighbors. Both China and Japan have strong cultural superiority beliefs in their national ethos. The rise of Japan since World War II reinforced her superiority over other Asians and now the rise of China as a global power has given Chinese leaders and her nationals a renewed endorsement of her historical "center of the world" status.

On the other hand, China's emperors feared the Mongols and other barbarians of the West and built the Great Wall of China to

protect themselves and insulate themselves. Beijing's current foreign relations gambit to extend its national marine territory east is a tour de force compared with any other previous administration in history. Hence this paper asserts that China is motivated by other factors or externalities into claiming the South China Sea.

Firstly, the new concern with its maritime areas underscores China's ascending role as a global power. It has become the second largest economy in the world. It has been the factory of the world. If the Beijing power elites have read John Hobson's (2004) book on the Eastern Origins of Western Civilization, they will feel more empowered in their nationalistic justification as a global hegemon. We are also reminded by Robert Kaplan (2012: 88) that in geopolitics, the "competition for 'space' is eternal." China seems to be in a hurry to challenge the US for its right to exist on the global landscape as both an economic competitor and a global political power. It wants to expand its presence in global space. Wang Gungwu argues that control of the seaways was a feature of all world hegemonies and superpowers (Portuguese, Spanish, Dutch, British and American) and hence Beijing realizes it needs to have marine access and dominance to be a global power (Ooi 2015).

The territorial assertions (both in marine and air space) in the South China Sea are a bold and daring move. President Xi Jinping could not have picked a more opportune time to seek to expand jurisdiction over this area, with the US going through a presidential transition and US domestic politics becoming highly volatile. Beijing seems prepared to use the South China Sea as a testbed for its military prowess, especially its naval ability. For Southeast Asian states, such a military showdown will impact the region greatly, especially the region's economy. Unfortunately Xi did not foresee the election of Trump and his bold willingness to check Xi's political, strategic and economic expansion.

To undergird its national geography argument, the Chinese leaders keep reiterating that the South China Sea claims are "core national" issues and hence non-negotiable. The most impertinent challenge to China's marine claims was the referral by then Philippine President Benigno Aquino's of these claims to the International Tribunal at The Hague. The negative verdict was a massive blow to China's claims in international eyes and from a global legal perspective.

Secondly, given its own domestic economic problems, its widening income disparities and its restless political situation, this flexing of Beijing's military might is one way of deflecting domestic attention to external arenas and enhancing nationalistic sentiments. The government has control of all media sources and hence its ability to shape public perception on foreign issues is immense and highly biased. Such claims are an externality that the leadership needs to drum up to gather national support and divert public attention from China's many domestic problems.

Thirdly, China is demonstrating to the US and the global community that it considers Southeast Asia to be its geopolitical turf and it is warning the US to lay off interfering in these territorial claims. China's most trenchant rebuff to US interference in the region is that it does not recognize America's Pacific power claims. Beijing realizes that superpowers all have regional turf they command: the US is actively engaged in Latin America; Europe has involvement in Africa and Russia uses Eastern Europe as a buffer. China's claim within Southeast Asia is a tacit emulation of the US 1823 Monroe Doctrine over Latin America. President Monroe dictated that any attempt to influence the western hemisphere would be "dangerous to our peace and security." The Americans, till today, still uphold the Monroe Doctrine by requesting that Putin butt out of Venezuela. The Chinese likewise are increasingly taking the position that Southeast Asia falls within their geopolitical sphere and demanding the US, Japan, India, Britain and Australia stay out of their national territory. Re-issuing the Japanese "Asian Co-Prosperity" rhetoric the Chinese authorities, targeting the Americans, have informed ASEAN states that the region is for Asians to handle and manage. Given that since World War II, the US has been establishing military bases in the region (South Korea, Japan, Guam, the Philippines and Thailand), the Chinese are increasingly uncomfortable with the US ring fencing them with military bases. The Chinese South China Sea claim thus serves multiple strategic, defense and economic purposes

China wants command over Southeast Asia as a show of hegemonic power and it could not have asked for a better region as an ally. Of all the world's developing regions, this is the most economically dynamic, politically stable and resource rich, and moreover, has the most coherent

regional organization in ASEAN. Given China's dense population and over-crowded and polluted cities, Southeast Asia is an attractive alternative with a relatively sparse population. With its borders so porous, migrants from China are already descending on Myanmar, Laos, Thailand and Cambodia. Bilaterally, Beijing is wooing political leaders and governments in the region, trying to wean them away from the US security umbrella and economic orbit.

Fourthly, those South China Sea claims are of applied military importance. While the Obama administration recognized the need to "rebalance" US defense in Asia, it will be remain to be seen how the Trump administration will interpret this rebalance and, specifically, how far the US will go to neutralize China's claims with regard to the South China Sea. In his first address to Congress on 28 February 2017, Trump made it clear his military budget would be increased considerably, presumably to fight ISIS on the one hand and, possibly, to deter China's increasing militarization, on the other.

The Chinese leadership realizes that it is hemmed in by the US military presence on its eastern maritime frontier with US military bases and support stations in South Korea, Japan, Taiwan, Guam, Singapore and Australia. Without the South China Sea, China has little maritime maneuverability. This strategic concern has been exacerbated by Obama's "pivot" and later, the "rebalancing" strategy in Asia. Kurt Campbell's (2016) book, *The Pivot*, provides a comprehensive and forward-looking strategic US statement on the subject. He cites the then US Secretary of State Hillary Clinton's argument on this: "Asia is the future and our diplomacy must reflect this in a much more fundamental way" (Campbell 2016: xxi). She goes on to say: "China is the big story, no doubt. But for us to be successful, we're going to have to work with others more effectively. We've got to embed our China policy in a larger Asia strategy" (Campbell 2016: xxi). One might state the subtext of Clinton's statement as the US realization that the rise of China is threatening, that its challenge to US global power is imminent, and that there is the fear of US global supremacy ebbing. One might see that both the US and China might be engaged in misperceptions of one another and get fixed into a political knot of misrepresentations. History has shown that many wars were based on such misrepresentations by adversaries.

China has never been comfortable with Singapore allowing the US Navy to use the city-state as a bunkering point and naval station in the region after the Philippines ousted the US military from Subic Bay. Beijing has referred to the US naval presence in Singapore as their “Malacca problem” given that 80 percent of China’s energy and other commodities pass through the Straits. Beijing is worried since annually 80,000 vessels pass through the Malacca Straits, many of them carrying China’s imports and exports. Strategically, one can see China’s South China Sea claims as a counterpoint to the US presence in the Malacca Straits. China’s military presence is meant to counter the US naval presence. China sees the South China Sea as the “throat of the Western Pacific and Indian Oceans” according to Kaplan (2014). Both China and the US might be engaged in misperceptions of each other that might lead to an impending conflagration in the South China Sea. This brings up the proverbial African saying that when the elephants fight, the grass suffers. It seems evident that China is willing to sacrifice Singapore, if its leadership does not play ball with the “mother country.” Despite its majority Chinese population, Singapore is an irritating small pawn that President Xi feels is impeding China’s broader national, geopolitical and global objectives.

Fifthly, China wants this territory as a ready reservoir for natural resources. The unpredictability of foreign oil and gas imports has made the Chinese authorities nervous about the future energy supplies to boost its economic drive. Two areas are pertinent to the region. In continental Southeast Asia, despite being part of the Greater Mekong grouping, China has already unilaterally built six dams in Yunnan for its own energy requirements, with little concern about how these dams are going to affect water flow and biodiversity in the lower course of the river. In addition, it wants the province of Yunnan to be its bridge point for the region, thereby directing all the region’s creation of gas and oil pipelines (from Myanmar), rail systems, road highways and trading relationships to Yunnan. China uses the Mekong for transporting all sorts of trading commodities as well as oil transport into Yunnan. Resources from its backdoor ASEAN region is clearly uppermost in Beijing’s policies.

Over the last five years, China has expanded enforcement activity in the South China Sea, using “combat-ready” patrol ships to escort

its fishing boats (Zhao 2014: 3). Given the unpredictability of the oil and energy supply from the Middle East, China is also looking to diversify its energy supplies. Following in the footsteps of ASEAN states Brunei, Malaysia, the Philippines and Vietnam, it is hoping to explore for oil and gas in the South China Sea and banking on deriving one million barrels per day of oil equivalent from this area by 2020 (Zhao 2014: 7). In short, while Beijing resorts to resource diplomacy for mainland Southeast Asian states, it applies high-handed military muscle for the acquisition of resources in the South China Sea.

Ramifications within asean and beyond

Much has been written about the rise of China, the Asia-Pacific Century, Easternization, and the remaking of Asia in the global landscape (Allison 2017; Mishra 2012; Rachman 2016). Change always creates new uncertainties, risks and new political alignments. These changes have the most political, economic and social bearing on Southeast Asia. China's rise certainly is creating a recalibration of defense strategies and alliances and renewed expenditure in defense spending amongst Asian states (Hawksley 2018). The current global situation is becoming more fluid, less predictable and more open to costly mistakes and belligerent flare-ups. In my opinion, there are five significant developments pertinent to China's claims. These involve: domestic adaptations; changes in foreign policy involving bilateral and economic relationships; ASEAN's response; the *hua qiao* or overseas Chinese; and China's overseas initiatives.

Domestic adaptations

As a result of these aggressive maritime claims, China's neighboring maritime states have stepped up national policies in two ways: imposing stricter laws and policing of their maritime areas; and increasing defense budgets. Countries in Southeast Asia and further afield are taking drastic steps against foreign fishing vessels intruding into their territorial waters. Thai fishing trawlers have been blown up in Indonesian waters; and Taiwanese fishing boats, in the waters off Palau. Suddenly the seas have become the new frontier for territorial wars. Indonesia

under President Joko Widodo is pursuing an active policy of his “Global Maritime Fulcrum” (*Poros Maritim Dunia*) doctrine to crack down on illegal fishing vessels (as many as 5,000 a day) in its territorial waters and to restore Indonesia’s maritime historical glory. There is a debate over what the Global Maritime Fulcrum or Axis is all about (Yohanes 2017; Keoni 2017) but one can speculate that China’s South China Sea claims have certainly triggered the Indonesian government’s maritime counter response. The President for example has boosted naval and coastguard budgets and doubled spending on defense to 1.5 percent of GDP over the next five years (*The Economist* 2015: 23–24).

One positive outcome of the recent spat with China is that the main opposition party (the Workers Party) in Singapore has declared its backing for the government’s stand on China. Workers Party leader Low Thia Kiang, a member of parliament, has warned of the danger of Singapore being too dependent on China’s economy and of China’s impact on the Republic: “Singapore not only risks becoming economically vulnerable to any strategic foreign policy shaped by China, the multiracial and multicultural character of our society will also come under pressure” (Nur Asyiqin 2017: B5).

Foreign policy: Bilateral relationships

Given China’s unilateral changes in the South China Sea and its Mekong waterway, ASEAN seems more divided than cohesive as a regional grouping. The Philippines has followed an ambivalent China policy. President Duterte began by cozying up to the rising dragon then ditching it later for US protection; Malaysia under the former PM Najib wholeheartedly accepted China’s generous aid, trade and investments, but under the current PM, Tun Dr Mahathir, relationships are cooling. Vietnam is befriending its one-time enemy, America, with military cooperation but keeping the China door open. India is beefing up its military arsenal and making overtures to ASEAN. Myanmar and Thailand maintain good relations with China but accept America’s political wooing. Singapore and Indonesia are deepening their defense relationships with Australia within the ambit of similar US strategic thinking. Cambodia and Laos are relying more on China for economic aid and are too weak to maintain an independent policy from their strong neighbor.

Beijing has tried several strategies to engage the regional states bilaterally. Firstly, over the last ten years, it has done deals with all eleven states in the region by underwriting large infrastructural projects (major government buildings in Timor-Leste, Cambodia), creating a trading supermarket in Thailand, developing bridges in Indonesia, making Singapore a Yuan trading center, building gas and oil pipelines in Myanmar and bankrolling Cambodian and Laotian developments. Secondly, China has tried to move away from any agreements with ASEAN as a regional group because it knows this will lessen its political clout in the region. One can theorize that the Chinese leadership wants to avoid ASEAN's regional decision-making so as to have advantageous bilateral relationships with individual states.

China has won better friendships and economic alliances with Brunei, Cambodia, Laos and Myanmar. The Philippines and Malaysia after a pro-China stand have become more cautious while Indonesia is trying to remain neutral. The orientation has tilted in China's favor for three reasons: a) It is geographically closer to the region than the US, with shared borders and common terrestrial and maritime connections; b) It has used its huge economic largesse as a carrot for investments and trading relationships with countries in the region; and iii) It is viewed by regional leaders as the future global hegemon that needs to be courted and fêted. This view is further endorsed by President Trump's negation of Obama's Trans Pacific Partnership and his ambivalence towards US "rebalancing" policies. Clearly these South China Sea forays and the unilateral Mekong hydropower dam developments in Yunnan are far from giving Southeast Asian countries a sense of stability, comfort and peace. Yet no state in the region wants to be on the wrong side of China after its leaders have already demonstrated their wrath at Singapore for not towing the Beijing line. While Singapore's PM Lee Hsien Long was invited to the Second Belt Road Initiative meeting in 2019, the official photo-taking session showed the Chinese leadership was still displeased with the city-state; the Singapore PM was put in the back left hand corner of the group photo, while other ASEAN state leaders (Cambodia, Brunei and Malaysia) were in the front row.

The Malaysia-China relationship demonstrates the extent to which the rising dragon is willing to go to change the geopolitical dynamics

of the region. It courted the former Malaysian prime minister, Datuk Sri Najib Razak who allowed the rising dragon to severely delimit trade passing through Singapore. China is attempting to circumvent the use of the Melaka Straits and to bypass Singapore's port by investing in Peninsular Malaysia in three ways: a) it is expanding Port Klang by building up Pulau Carey (S\$64 billion project) as part of China's One Belt One Road initiative and to safeguard China's trade flow; b) China has a stake in Kuantan Port and is interested in building an East Coast Rail Line linking Port Klang with the Kuantan Port that would effectively transport goods across the Peninsula bypassing Singapore; and c) China is building an international port in Malacca called the Kuala Linggi International Port which will store 1.5 million cubic meters of oil and provide bunkering services. If these Chinese developments in Malaysia are finally put in place, they will undermine Singapore-Malaysia relationships in future and create quizzical political attention in Indonesia, Thailand and other ASEAN states. Chinese interest in Malaysia and the Straits of Malacca however will revive the historic importance of the Malacca Straits when two thalassic kingdoms dominated regional and international trade: the Sri Vijayan Empire in Sumatra and the Malacca Sultanate in Malaya. However the surprise election win of the Malaysian opposition party in 2018 and the toppling of UMNO from power has left the China-Malaysia relations in a less rosy situation. The current Malaysian PM, Tun Dr Mahathir, angered the Chinese leadership when he noted a new form of colonialism was taking shape under the Belt Road Initiative. Dr Mahathir has delayed the Chinese developments in Malaysia and renegotiated its former huge financial package. While the Chinese are wooing the Malaysian leadership, there are strong indications that Chinese private enterprises with government backing are going ahead with the Kra Isthmus project. Chinese leader Xi sees their global hegemonic role as a high stakes game. This development will radically change the strategic geopolitics of the region, and perhaps end Singapore's pivotal trading and entrepot position regionally and globally.

Given the importance of Singapore in ASEAN, its strong relationship with the US and the rise of the unpredictable President Trump, China's power elites are trying to neutralize the rough 2016-17 diplomatic patch with the city-state with an endorsement of four agreements in

2017. By buying into China's national economy, Singapore hopes its external economic flank will be sustained successfully. A high-powered Singapore delegation was in Beijing in February 2017 for the 13th round of the Joint Council for Bilateral Cooperation (JCBC). Unlike other ASEAN countries where China is investing in ports, industrial towns, and infrastructure, Singapore is the only ASEAN country that is involved in investing and building satellite towns in China: Suzhou Industrial Park, Tianjin Eco-City and the Chongqing Connectivity Initiative. A fourth agreement was signed to facilitate the Guangzhou Knowledge City. These projects are what Kent Calder (2017: 151-156) calls China's "urban learning" from Singapore. In Singapore, however, public chatter is speculating whether the Lion City is deriving any substantive economic benefit from these investments besides nurturing political goodwill with the rising dragon. On the other hand, some observers feel the Singapore government is bank-rolling billions of dollars in Chinese projects to win back favour with the Chinese leaders.

ASEAN's responses

Chinese territorial interventions in maritime Southeast Asia are an affront to ASEAN's long-standing desire to keep the region a zone of freedom and neutrality. If the Chinese government does indeed have a "deep and abiding fear of luan (chaos)," according to Lee Kuan Yew (2000: 550), then such forays in the South China Sea seem to be an aberration. The current Chinese leaders must realize that these claims are highly risky and will not be acceptable to the global community

Regionally, ASEAN countries cannot plead neutrality in the island disputes and allow China to claim 90 percent of the South China Sea and its many islets and reefs. At the ASEAN foreign ministers' retreat in Boracay (Aklan) in February 2017, it seems that ASEAN became emboldened to express "concern" over China's claims and its "militarization of the region." Specifically, the ministers expressed the following: "They have noticed, very unsettlingly, that China has installed weapons systems in these facilities that they have established, and they have expressed strong concern about this" (Dancel 2017: A12). The foreign ministers also articulated the need for China and the United States to work together to ensure peace and stability in the region. Mindful that China's

economic clout is too important for ASEAN countries to ignore, ASEAN states are treading carefully on its claims. On the other hand, President Trump's unpredictable behavior is also worrying regional leaders who fear a military flashpoint becoming more imminent. The China-US trade war was initiated fully in May 2019 and the region is now braced for long economic uncertainty. On the other hand, will ASEAN states benefit from American companies redirecting their Chinese investments into the region?

Beijing wants to reassert its relationships to ASEAN both bilaterally and regionally at the expense of foreign power interference such as from the US. China's statements to ASEAN leaders are reminders of former scenarios of colonial master (the United States) and subservient satellite states and they play the race card by trying to win over ASEAN members because we are all "Asians." This rhetoric underscores Edward Said's (1994; 1979) orientalism thesis in a reverse way by dividing "us" (Asians) from the "others" (Westerners). The United States asserts its Asia-Pacific geopolitical involvement by stating that it is a Pacific country with historical ties to the region especially through its former colony and ally, the Philippines. Based on economic factors, the US is definitely not going to walk away from the region. Its companies have US\$226 billion invested here, more than the combined investments of Japan, China and South Korea. Under Philippine President Rodrigo Duterte, the American relationship was severed but brought back under the old security agreement after China continued to encroach into Filipino territorial waters. Filipinos still prefer the Americans to the Chinese. The Filipino love for Americans is underscored in this statement: "Yankees go home! And take me with you."

While ASEAN states are wary of Beijing's "Asian" brotherhood rhetoric, they have little choice. China has yet to prove it is a benign superpower that will observe international rules and accept smaller states on equal terms. Currently Beijing does not accept an equality of states. In recent statements, its officials follow a "pecking order" (more like a Beijing order) of states classified as big powers, middle and small states. Hence, they repeatedly tell Singapore officials to pipe down when this "small state" tries to uphold a "principled" ASEAN position on the South China Sea. The Celestial Empire leaders are most antagonized by

ASEAN leaders reminding them to maintain an international principled code of conduct with regard to the South China Sea. Specifically, the periodic reference to the “rule of law” by Singaporean leaders grates on the nerves of Chinese leaders. The Chinese government do not buy the current international codes of legal conduct because they believe they were created by Western countries and skewed to Occidental requirements.

ASEAN foreign ministers at the 2017 Boracay retreat however pressed ahead with the “code of conduct” on maritime disputes. In defending this initiative, Singapore’s foreign minister, Vivian Balakrishnan, noted: “We cannot control the agenda of the superpowers. But we do need to make sure, to the best extent possible, that we maintain an oasis of peace and stability in this part of the world” (Dancel 2017: A12a). The talks between China and ASEAN have been slow because China insists the “code of conduct” should not hinder its naval patrols.

The hua qiao or overseas Chinese dilemma

The biggest political gamble for Southeast Asian states is how China’s claims will affect the overseas Chinese in the region. At the intra-national levels in ASEAN, ethnic Chinese minority populations are likely to face national difficulties in national accommodation and ethnic assimilation if China assumes a belligerent posture towards the region. Beijing hopes to woo Singapore and the overseas Chinese to its side but the founding father of Singapore has made it clear that his country’s loyalties lie with the Southeast Asian region. In reply to Deng’s geopolitical statements, Lee (2000: 642–43), in his book, *From Third World to First*, stated categorically: “History brought together Chinese, Malays and Indians in Singapore. We are proud of our own heritage. Sharing a common experience, we are developing a distinctive way of life. By geography, our future will be more closely interlinked with those of our neighbors in Southeast Asia.” China is openly wooing its Chinese diaspora to invest in its motherland and to maintain ties with China. Only Israel has strong relations with its global diaspora, and the Chinese want to emulate this Jewish model. But for ASEAN states where the Chinese minority population already faces distrust and discrimination, this China policy will only exacerbate the tense situation.

It is unfortunate that the Chinese diaspora is a target for discrimination despite the fact the hua qiao or overseas Chinese are third- and fourth-generation nationals in Southeast Asian states. Over the centuries and more recently there have been reminders in the Philippines, Vietnam, Malaysia, and Indonesia of anti-Chinese riots and massacres. These incidents do not augur well for the Nanyang community. China's current policy of "rejuvenation" which incorporates overseas Chinese puts Singapore's predominantly Chinese population in a difficult position in the region in two ways: as a Chinese cultural aberration (Third China) in a Malay socio-cultural world; and as a symbol of "Israel" within a dominant Muslim sea.

Despite Singapore having a majority Chinese population, it is proving to be a thorn in China's South China Sea gambit and territorial claims. From a Singapore perspective, the government and business community are sensitive to China's claims of the South China Sea given the city-state's dependence on trade; the city-state has the highest ratio (326 percent) of trade to GDP in the world. The 2016-2017 diplomatic turbulence between Singaporean and Chinese bureaucrats, news editors, diplomats and leaders over a series of issues demonstrated that China wanted to teach its "small neighbor" a lesson about who was the global hegemon in the region. The culmination of the diplomatic spat was the detention in Hong Kong's port of nine Singapore military armored trucks (Terrex vehicles) that had been in transit from Taiwan to Singapore. Their detention for more than two months demonstrated China's displeasure over Singapore's continued use of Taiwan as a training ground for its military even though tacit permission had been granted by previous Chinese administrations. This was meant to show other ASEAN nations what actions China was capable of when displeased.

China's overseas Initiatives

China has had a long relationship—not always peaceful—with many kingdoms in the region. The Mongol invasion of Burma by Kublai Khan was not successful but it sent shockwaves through the region. Later, the explorations of the Chinese eunuch-admiral Zheng He in Southeast Asia and the Indian Ocean were a means of "flag showing" and "to some extent, about power or, at least, prestige" (Fernandez-Armesto

2010: 223). Other historians have viewed these expeditions as a sign of Chinese imperialism that was less than benign. Fernandez-Armesto (2010: 226) is of the opinion that Zheng He's expeditions included "political intervention" and that he set up a puppet regime of a bandit chief, Parameswara in Malacca to "control the trade of the Straits of Malacca." In doing so Parameswara went to China to pay tribute to the emperor and developed a "client relationship" with Chinese imperial patronage. Malaysia thus sees its current strong China-Malaysia ties as a product of enduring historical relationships. Between the US and China, Muslim states in Asia tend to be pro-China and anti-American. Of all the external powers, China reigned supreme for many centuries before Portugal conquered Malacca in 1511. Many kingdoms in both insular and mainland Southeast Asia gave tribute to the Chinese emperor to ensure peace and harmony. Different scholars have viewed these city-state relationships in various terms—Robert Heine-Geldern (1944) called them cosmic relationships and Stanley Tambiah (1985) viewed the China-Southeast Asia relationships as a "galactic polity."

China's claim to the South China Sea through its nine-dash cartographical demarcation is no different from 19th-century colonial territorial claims through cartographical demarcations. China is resurrecting what western colonialists did in the 19th century by claiming territory through cartographical methods as Benedict Anderson (1991) has demonstrated. Beijing has tried to reinvent China's "Middle Kingdom" status as the center of the world through functional, applied geopolitical methods. It has done so in three ways:

Established in June 2015, the US\$100 billion Asian Infrastructure Investment Bank (AIIB) has 50 countries as founding members, including US allies such as Australia, Germany and Britain. As of March 2017, the AIIB had 70 members. In 2016 the AIIB finally supported nine projects in seven countries worth US\$1.76 billion (Chong 2017: A12). This shows clearly that the economic tide is turning in favor of China. Through the AIIB, it hopes to counter the financial influence of the Manila-based, US-Japan Asian Development Bank (ADB) and wean Southeast Asian states away from the ADB's economic influence. Despite its deep pockets, China cannot take infrastructure investments in the region for granted. Laos, for example, has stalled the US\$7 billion

Chinese rail project because of unhappiness over the terms of the deal and friendly overtures from Vietnam, which wants infrastructure development to move from west to east, rather than south to north.

China established its own trading bloc, the Regional Comprehensive Economic Partnership as a counter to what it sees as the US-led Trans Pacific Partnership. But with Donald Trump abandoning US membership to the TPP, China hopes to consolidate its regional economic clout. Four ASEAN states are members of the Regional Comprehensive Economic Partnership . For poor ASEAN states (Laos and Cambodia), China's economic clout looms more favorably than the US.

China established its "One Belt, One Road" trading architecture which also covers terrestrial and maritime areas around China. Launching the maritime policy in 2013, President Xi Jinping envisioned that the "One Belt, One Road" program would spur development in 65 countries, including ASEAN states. To date, China has announced that Chinese companies have signed US\$126 billion worth of contracts with 61 countries and the government in 2016 directly invested US\$14.53 billion in 53 countries (Lim 2017: A12). This ambitious proposal undergirds China's "Middle Kingdom" centrality and evokes the land and sea Silk Roads of the past (Miksic 2013). In effect, China has put in place a functional geography of belts, roads and maritime highways. Its Belt Road Initiative proposal is a major global catalyst for trade, transport and tourism and the infrastructural concept is mind-boggling, bold and a real breath of fresh air for a global economy divided by nationalistic tendencies.

All the three initiatives are supported by ASEAN states and governments. These are positive Chinese developments which will enhance development in the region, provide land and sea communications, and facilitate trade. Chinese leaders do not believe it can replace the US as the dominant global power at the moment. While China might be a large market, the region's states cannot see all their trade being channeled only to China. Monopolization of the South China Sea by China will undermine ASEAN's free trade initiative and circumvent current trading relations ASEAN states have with the rest of the world. China's BRI proposition must be facilitated by freedom of transport

and trade in the South China Sea, if not, ASEAN countries will feel China's proposal is circumspect, insincere and laced with hidden national agendas. Given the negative outcomes of Chinese investments in Sri Lanka, Pakistan and several African and Central Asian states as well as developed countries, many governments are becoming more wary of the Chinese rhetoric of fostering "win-win" economic relationships. In the long term, China's reckless and cavalier investment practices will undermine trust and responsibility in its satellite states.

Reflections

Two major factors are undermining the region's identity and commonality of culture, and ASEAN's viability as a cohesive regional organization: one is internal, and the other, external. The domestic challenge in the region stems from the rise of religious fundamentalism (Buddhist, Muslim, Christian and Hindu) which threatens to undermine the multi-religious character of Southeast Asia. For centuries world religions were bonded to the substratum of indigenous animistic beliefs providing syncretic religious practices which harmonized peoples of varying faiths. In Myanmar, the problem with the Muslim Rohingyas underscored Buddhist intolerance to the Rohingyas who are of a different race and religion. That Malaysia's prime minister led Muslim groups in public demonstrations and protests against Myanmar's treatment of the Rohingyas showed that ASEAN's informal code of political non-interference in domestic politics had been breached. It also showed that the Muslim Ummah (Muslim community) had a stronger political bond than regional relationships.

In Indonesia and Malaysia, the rise of Islamic fundamental groups threatens to tear apart the multi-racial and multi-religious fabric of these states. Some Malaysian Muslims want to impose Hudud and Shariah laws and punishment on everyone, which could lead to major racial-religious riots. In Brunei, the Sultan is taking a more Islamic stand on laws and punishments. The worry is that the trend towards Islamic orthodoxy and fundamentalism provides an open door to more radical ISIS involvement and regional ISIS clones. Unlike Christianity, which separates Church from State, Islam integrates the state with religion (e.g., Saudi Arabia) and hence the region's identity of racial-religious tolerance, its accommodation of heterogeneous culture and religious pluralisms will be severely eroded.

Externally, China's claims to the South China Sea and its militarization of the marine area threaten the region's cohesiveness. This is an externality which will play itself out over the next few decades and change the geopolitical dynamics of the region and undermine the viability of ASEAN. The states, leaders and citizens of ASEAN are all participants in this unfolding drama and they need to make their voices heard.

As the economic competition between China and the US heats up, Southeast Asian countries are left in a difficult situation between the two hegemonies. Between the military and economic options, Trump believes the economic pressures are likely to undermine China's rise, unsettle its domestic social cohesion and weaken its economic competition. The Trump economic tariffs are meant to hurt China even though it might inconvenience Americans. On the one hand, both President Xi and Trump are willing partners in the trade war as a likely convenient excuse to cover their impending poor national economic performances. On the other hand, this high stakes poker seems like a test of personal wills and global economic power. This is a new dimension in Allison's (2017) *Thucydides War*, an economic war played out to see which state crumbles domestically.

While Western politicians, academics and the press harp on Huntington's (1996) "clash of civilizations" thesis unfolding between the US and China, Chinese President Xi Jinping speaking publicly on May 15, 2019, denounced the idea by taking the upper moral hand by stating that China's developments were meant as contributions to build a better world: "Today's China is not just China's China, it is Asia's China, the world's China" (Cheong 2019: 1). President Xi's thinking underscores the British historian Arnold Toynbee's idea that all regional civilizations are contributions to human civilization or a world civilization. In a veiled attack on Trump's insular policies, President Xi has provided enlightened thinking when he states: "If countries choose to close their doors and hide behind them, human civilization will be cut off from each other and lose all vitality" (Cheong 2019: 1). What state governments in the world wonder is whether China practices what she preaches. But at the operational level, the US trade war with China and the US-China military competition over the South China Sea creates deep uncertainty for small states in ASEAN. As Singapore's former ambassador to

Indonesia, Ashok Kumar Mirpuri stated: “Nobody in Southeast Asia wants to choose between the US and China.”

On one hand, the Singaporean power elite believe it is too early to write off America; Singapore leaders accept the US has still a shelf life as a superpower of about 40 years. The former US Ambassador in Singapore Kurt Wagar in an informal speech argued that America’s strong Asian community will contribute to global innovation and keep American global power alive. He argued that it is not the Chinese or Indians in China or India that will lead the world in innovation but the Chinese and Indian migrant populations in America that will be global leaders in science, technology and business. The other school of thought, led by Kishore Mahbubani (2008), believes China will overtake the US and become the number one global power. China, after all, has taken the world by storm economically and will be the number one global economy. As Stefan Halper (2010) argues, we have entered the political realm of the “Beijing Consensus.”

Given these odds, many ASEAN members are walking a political tightrope. With the US pulling out of the Trans-Pacific Partnership pact, it has removed one irritant in US-China relationships and given China’s Regional Comprehensive Economic Partnership a boost. But for the TPP partners, this is an unhealthy sign. The biggest threat to the region is how China decides to solve its South China Sea claims in the light of global disapproval and the US military challenge. As Indonesian President Joko Widodo states: “Without ASEAN unity and centrality, the region will be the venue for big-power rivalry.”

For Southeast Asian states, there are five options in dealing with the growing geopolitical shifts in the region. Firstly, there needs to be a multilateral code of conduct (ASEAN’s COC) and legally binding measures for all the states involved in the South China Sea, ASEAN states, China and the US. There might be a need to call on the UN to oversee this multilateral agreement. Secondly, if the US cannot commit to the region in terms of the Trans-Pacific Partnership agreement, then Southeast Asian states need to find some common ground in handling economic dialogue outside the US political orbit. Thirdly, despite the widespread differences in ASEAN member states’ relations with China, ASEAN needs to speak with a common voice and handle

negotiations with China as a regional grouping rather than individually. Fourthly, ASEAN might have to forgo its 'formal regional' (i.e., cultural commonality) relationship for a more "functional regional organization" thereby allowing China to integrate with the region on a functional basis. China's unilateral invitation into the region via territorial annexation will be a cause of much uneasiness and the ramifications will be long term.

Finally, China's specific appeal to the region as bonding with "Asians" is a shallow contentious argument. In a globalizing world, China should not fall into President Trump's nationalistic ideology and the East-West divide rhetoric. The characterization of Asians against Westerners, underscoring Samuel Huntington's (1996) Clash of Civilizations thesis is not what is required in a world faced with such global challenges as climate change, poverty, pandemics, food insecurity and water scarcities. Racial and ethnic appeals that are evident in Trump's politics are divisive and they have no place in a global, cosmopolitan world.

Acknowledgements

I would like to thank Dr Ken Corey for his comments and editions to my earlier draft of this paper. I am also grateful to Ms Wong Lai Wa and especially Ms Irene Hoe for editing my paper. Needless to say, the content and flaws of the paper reflect the work of the author.

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Contributors

Barbara Watson Andaya is Professor of Asian Studies at the University of Hawai'i. She was formerly Director of the UH Center for Southeast Asian Studies and in 2005-06 she was President of the American Association of Asian Studies. She has been the recipient of a John Simon Guggenheim Award, and the University of Hawai'i Regents Medal for Excellence in Research. She has lived and taught in Malaysia, Australia, New Zealand, Indonesia, Singapore, the Netherlands, and the United States. Her specific area of expertise is the western Malay-Indonesia archipelago, on which she has published widely, but she maintains an active teaching and research interest across all Southeast Asia. Her publications include *Perak, The Abode of Grace: A Study of an Eighteenth Century Malay State* (1979), co-editor *Tuhfat al-Nafis (The Precious Gift)* (1982), *To Live as Brothers: Southeast Sumatra in the Seventeenth and Eighteenth Centuries* (1993); *The Flaming Womb: Repositioning Women in Early Modern Southeast Asia* (2006); (with Leonard Y. Andaya) *A History of Early Modern Southeast Asia* (2015), and a third edition of *A History of Malaysia* (2016). She is currently working on a book tentatively entitled *Gender and Sexuality in Southeast Asia*.

Enrico Antonio B. La Viña is an incoming Ph.D., student in the Department of Political Science at the University of California Davis. He has had volunteer and professional experience on student issues and rural community advocacies. He has written on voter education, ASEAN studies and rural social movements. Please send correspondence to ricolavina@gmail.com.

Hansley A. Juliano serves as a Lecturer in the Department of Political Science, Ateneo de Manila University in the Philippines. He has written and presented research on social movements in the Philippines, Philippine elections, the rights and struggles of marginalized groups, changing forms of political communication and advocacy, as well as Asian politics and culture. Please send correspondence to hjuliano@ateneo.edu.

Lance D. Collins, Ph.D., is the Executive Director of the Hawai'i Institute for Philippine Studies. He has lectured on Philippine culture in the Ilokano Language and Literature Program at the University of Hawai'i in Manoa and on law and legal practice at the University of Hawai'i at Maui College. He also practices law as an attorney before the courts of Hawai'i.

Matthew David D. Ordoñez is currently a postgraduate student of Public Administration at Shanghai Jiao Tong University in China. He has served as a Lecturer in the Department of Political Science at De La Salle University in the Philippines. His research interests include urbanization, ASEAN studies, politics of popular culture, and scalar politics. Please send correspondence to matthew.ordonez@dlsu.edu.ph.

Paul Carter is a doctoral candidate at Chulalongkorn University. He holds a Master's degree in Thai Studies from Chulalongkorn University, Bangkok, with a thesis on "Thai Forward Air Guides in Laos during the Second Indochina War." He is a former U.S. Army intelligence officer, having served in Afghanistan with the 82D Airborne Division in 2002-2003. He subsequently spent seven years at the U.S. Defense Intelligence Agency in Washington D.C., focusing on Iran and Iraq. In 2007-2011, he was deployed to Iraq's combat zones for four tours, providing critical information to U.S. forces while informing U.S. national policy makers on Iraqi trends and developments. In 2013, the U.S. Office Director of National Intelligence awarded him the U.S. President's Daily Brief Professional Recognition Award for co-authoring 14 U.S. Presidential Daily Briefs from 2011-2014 on Middle East topics vital to U.S. national security. Mr. Carter is also a special lecturer each year on Cross Cultural Communications at Mahidol University, International Business class.

Victor R Savage, Ph.D., was a former faculty member of the Department of Geography and Coordinator of the Southeast Asian Studies Program at the National University of Singapore (NUS) and is currently a Visiting Senior Fellow at the S. Rajaratnam School of International Studies, Nanyang Technological University, Singapore. His research interest is mainly on Singapore and the Southeast Asian region—historical

and cultural landscapes, geopolitical issues in the region, sustainable environments, environmental education, sustainable urban development and cross-cultural issues. Among his books are: *Western Impressions of Nature and Landscape in Southeast Asia* (1984); *The Naga Awakens: Growth and Change in Southeast Asia* (co-edited with Lily Kong and Warwick Neville, 1998); *Sustainability Matters: Asia's Green Challenges* (co-edited with Lye Lin Heng, Chou Loke Ming, Yu Liya L. and Kua Harn-Wei, 2014) and *Singapore Street Names: A Study of Toponymics* (co-authored with Brenda Yeoh, 2013).

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