Refereed article

Democratizing ASEAN through "Alternative Regionalism"?
The ASEAN Civil Society Conference and the ASEAN Youth Forum

Stefan Rother[1]

Summary
This article is situated in the literature on the democratization of international institutions. The research puzzle presented is how civil society can increase participation in a regional organization with mostly nondemocratic member states and which has very limited space for non-state political engagement. This increased participation is seen as a building block for democratization, since it leads to the representation of otherwise marginalized, ignored, or even oppressed groups. The case study examined here is that of a regional organization from the Global South, the Association of Southeast Asian Nations (ASEAN) — with its declared goal of becoming a "people-centered" community. Civil society participation can be of particular relevance for such organizations, since some of their member states might be far from representing or even listening to the voices of "their people," notably if these individuals belong to marginalized or oppositional groups. Based on the concept of "alternative regionalism" (Igarashi 2011), this article examines the efforts to create and widen the space for civil society participation in ASEAN, its challenges, and the potential for the democratization of this regional organization. It is discussed whether the ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF) and the ASEAN Youth Forum (AYF) between them have the potential to democratize ASEAN from below.

Stefan Rother is a researcher and lecturer in the Department of Political Science, University of Freiburg, and currently a postdoctoral fellow at the Freiburg Institute for Advanced Studies. His research focus is on transnational migration, global governance, social movements, regional integration, and non-/post-Western theories of international relations.

Introduction

"ASEAN should not be apologetic for holding on to its top-down approach, as it is an intergovernmental organization. The voice of the people and their aspirations are heard and channeled through their respective governmental representatives."

Thus wrote Tang Siew Mun, a senior fellow at the Institute of Southeast Asian Studies (ISEAS) in Singapore, in an editorial piece for the Singaporean newspaper *The Straits Times* on January 29, 2015 entitled "Keeping the Momentum of ASEAN's Community-Building." The Malaysian scholar goes on to reject the notion that the self-proclaimed concept of ASEAN as a "people-centered" organization is to be linked with its "democratization" and the "creation of a participatory and inclusive entity." While Mun's assessment might be an accurate reflection of the positions held by the majority of governments in the region, this paper here takes a decidedly different, bottom-up perspective. Based on the concept of "alternative regionalism" (Igarashi 2011), it examines the efforts to create and widen the space for civil society participation in ASEAN, its challenges, and the potential for the democratization of this regional organization. It thus aims to contribute to the wider literature on the democratization of global governance and its institutions, a body of work that has so far paid only scant attention to participatory spaces in the regional organizations of the Global South. Civil society participation could, however, be of particular relevance for these organizations, since some of their member states might be far from representing or even listening to the voices of "their people," notably if these individuals belong to marginalized or oppositional groups.

ASEAN presents itself as a promising case study for a number of reasons. Its ten member states are characterized by very heterogeneous — and variable — levels of political freedom. In addition, more than a decade has passed since ASEAN first declared as its aim for it to become a people-centered community by "building a caring and sharing society which is inclusive and harmonious where the well-being, livelihood, and welfare of the peoples are enhanced" (ASEAN 2009: 1). However, these ambitious goals stand in marked contrast to the observed reality that in many of the member states civil liberties have actually been on the decline in these years while civil society has continued to struggle to gain participatory space. In countries with a restrictive — if not outright hostile — attitude toward civil society in particular, the membership in a transnational civil society network can provide such participatory spaces beyond the nation-state. In recent years, the ASEAN level has increasingly become a point of focus for these networks. This adds a vertical dimension to Keck and Sikkinks' (1998) boomerang model: national nongovernmental organizations (NGOs) do not only, or even primarily, look for support from other nation-states but also use the regional as well as global levels to further their advocacy work.

One of the most visible spaces for regional civil society advocacy in ASEAN has been the ASEAN Civil Society Conference/ASEAN Peoples' Forum (ACSC/APF).

After several years of tussling with the rotational host governments, it was a long-term pariah member of the organization who would eventually host the largest gathering of ASEAN civil society to date: In March 2014 more than 3000 participants attended the ACSC/APF in Myanmar. The meeting was also invigorated by the preceding ASEAN Youth Forum (AYF), with both events providing space to make the voices of oft-marginalized groups such as migrant workers, LGBTIQ,[2] sex workers, and refugees heard. However, while the participants were able to make progress on claiming space during the meeting, they faced the challenge of their delegates being replaced in the interface session with heads of the member states: several governments demanded to substitute civil society delegates with their own nominees. Similar nondemocratic practices from above could also be observed during the 2015 meeting in Malaysia, where states such as Laos furthermore tried to intimidate civil society organizers into not addressing politically sensitive issues. Based on my participation in the Yangon and Kula Lumpur meetings and extended fieldwork and research on civil society within ASEAN, this article analyzes the potential that civil society has to democratize ASEAN from below — as well as the often contradictory strategies employed by the member states. The puzzle presented here is thus how can civil society voice its demands and increase its participation in a regional organization made up of mostly nondemocratic member states and with very limited space for non-state political engagement. This increased participation is seen as a building block for democratization, since it leads to the representation of otherwise marginalized, ignored, or even oppressed groups.

In the following I will first discuss the democratization of regional institutions, then transnational political space, as well as the concept of alternative regionalism. I will then apply this framework to various levels of civil society participation. The main focus will be on the ACSC/APF and to some degree the AYF, which can both be categorized as "inside" events wherein civil society representatives are striving for the balance between formal interactions with (and sometimes dependent on) states on the one hand and using and expanding their space to bring forward their own agenda on the other. There are, however, also more independent and alternative "outside" spaces for regional civil society activism emerging from below.

The democratization of international institutions

In the last fifteen years research on democratic governance beyond the nation-state (Zürn 2000) and on the democratization of global governance (Patomäki 2003; Scholte 2011) has been steadily increasing in volume. Within this field, regional organizations unfortunately remain an largely under-researched topic — with the notable exception of the European Union (EU), with a prominent debate raging about whether the organization is characterized by a "democratic deficit"

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2   An inclusive term used for Lesbian, Gay, Bisexual, Trans, Intersex, Queer, or Questioning.

(Moravcsik 2002; Follesdal und Hix 2006). Regional organizations of the Global South have mostly been absent from these discussions; that said, in the past few years several studies on ASEAN's engagement of civil society have emerged (Collins 2013; Gerard 2014; for an early article on "participatory regionalism", see Acharya 2003).

There has been some vagueness of definition on what exactly is meant by the democratization of global governance and international institutions. If one would strictly focus on the internal democratic structures, then equal rights for the members — usually nation-states — of these organizations and the democratic procedures of decision-making would be important. One could take a strictly hierarchical view, in line with the quote at the beginning of this article, and assume that nation-states are the legitimate and sole representatives of the interests of their respective citizens. Yet globalization has put into question this representation monopoly of governments, since current arrangements to regulate political issues above and beyond the nation-state "rest — at best — on very limited explicit consent from the affected populations" (Scholte 2002: 289).

A special case in the realm of international organizations is the tripartite structure of the International Labour Organization with its "Parliament of Labour," the International Labour Conference, wherein states are not only represented by government delegates but also by two organized interest groups — those of employers and workers. Such forms of a parliamentary body are more commonly found in regional organizations, wherein they either consist of representatives of the national parliaments or, as is the case in the EU, of directly elected representatives. These bodies can provide an additional level of participation and inclusiveness within the organization. Usually the research on, or call for, the democratization of global governance focuses on the inclusion therein of a different actor, though: civil society (Scholte 2011).

While the United Nations (UN) has a long tradition of various forms of civil society interaction, nowadays it has become par for the course for international processes to at least include a civil society component. Even the World Trade Organization (WTO), often criticized for its lack of transparency, has felt obliged to establish the Public Forum — offered as an "outreach event" to civil society and other stakeholders. Based on these rather recent trends, Zürn and Ecker-Ehrhardt (Zürn und Ecker-Ehrhardt 2013) in an edited volume diagnose the occurrence of a politicization of world politics. What may sound like a pleonasm refers to the observation that global institutions can no longer be kept out of politics by referring to a technocratic narrative of expert-led problem-solving; instead, they have been brought into the public political space.

This politicization is seen as a step that can lead toward democratization, since public scrutiny of international institutions inevitably leads to calls for reform — while organized civil society actors might demand some form of participation, or at

least observer status, in the different decision-making processes. If this participation is indeed granted, it might be so out of a genuine interest in taking a more inclusive, multi-stakeholder approach — but could also be primarily undertaken as a strategic concession to counter the public blaming and shaming strategies employed by civil society organizations.

The various studies in the aforementioned volume by Zürn and Ecker-Ehrhardt make a compelling case for the increasing politicization — if by no means necessarily democratization — of global institutions, but point out that civil society advocacy is often dominated by Western actors. This highlights the relevance of analyzing the politicization and potential for democratization of international institutions in the Global South: What are the specific conditions that these non-state actors operate under? Is it possible to carve out democratic space in an international organization, when several of its member states are far from being democratic themselves? ASEAN, with its declared goal of becoming a people-centered community, thus presents itself as a particularly fitting case study for the discussion of these pertinent questions.

Alternative regionalism from below and transnational political spaces

Looking at the political space that an organization such as ASEAN provides for civil society engagement is an important starting point, although this should not be the sole perspective taken when analyzing participation on the regional level. While civil society organizations may try to use and expand the space provided through these official channels, they nevertheless usually engage in more comprehensive advocacy activities outside of them. In other words, using an "inside-outside" strategy would mean attempting to mainstream one's advocacy within the restrictions of these official spaces while at the same time also working toward more far-reaching goals outside of them. Civil society organizations thus have to find a balance between avoiding accusations of being coopted by the governments inside those meetings and the possibility of losing access to them by making demands on the outside that may be considered too radical by these governments. There might also be various degrees of what it means to be "inside": while a designated civil society conference might be more inclusive regarding actors and issues, the question of which topics are addressed and by whom will very likely be handled in a much more restrictive manner when it comes to direct interactions (interface sessions and the like) with government representatives.

There can also be regional spaces of civil society interaction that are established independently from governments. The actors operating in these spaces could either still work toward the goal of fruitful interaction with governments and state-led regional bodies or alternatively consider themselves complete "outsiders" — and thus as an oppositional force to the existing state-led structures of policymaking.

Both approaches — and everything that falls in between beside — can be seen as forms of alternative regionalism from below.

This concept is based on the realization that regions are by no means natural units, but rather ones shaped through war, colonialism, the regional equivalent of nation-building, and so on. Regions thus share similarities with Benedict Anderson's (2003) conceptualization of states as "imagined communities," although the degree to which actors internalize these constructions is usually significantly weaker at the regional level than it is at the state one (Rother 2012); in particular, Southeast Asian regionalism is often described as an elite-driven project and people on the ground in, say, Laos or Myanmar may have very little to no concept at all of a Southeast Asian identity (Jönsson 2010; Roberts 2011).

If we accept that regions are constructed, then there is no reason to assume that states have to be the sole drivers of regionalism. The alternative regionalism approach therefore "examines the roles of not only states but also other varieties of non-state actors such as domestic firms, transnational corporations, NGOs, and other types of social networks and social movements in the process of regionalization" (Igarashi 2011: 4). Here, the term "alternative" not only refers to a range of actors beside the state but also to the visions of regionalism cherished — ones that stray from the dominant interests of the elite.

The alternative vision of regionalism goal can be identified in the declarations of the now seemingly dormant People's Agenda for Alternative Regionalisms (PAAR) that previously enjoyed a strong membership in Southeast Asia. Its aim was "to contribute to the understanding of alternative regional integration as a key strategy to struggle against neoliberal globalization and to broaden the base among key social actors for political debate and action around regional integration." PAAR promoted the concept of "people's integration" in regional processes that clearly aim for democratizing regionalism, with the goal being to "RECLAIM the regions, RECREATE the processes of regional integration, and ADVANCE people-centered regional alternatives" (PAAR 2015). The PAAR project may have been put on hold before reaching its goals, but similar concepts of alternative regionalism are nonetheless still very much alive when understood as "the movement toward constructing a regional order from below by transnational civil society actors" (Igarashi 2011: 1).

This leads to the question of whether this alternative regionalism is necessarily any more democratic. With their rise in prominence in the political space, transnational civil society actors have come under increased scrutiny themselves. The list of criticisms of and caveats to them is long: NGOs might advocate for democracy but their internal structures are far from democratic, they might lack legitimacy and be elite-driven themselves, they might be more responsive to their donors than to their constituencies, and so forth (Pallas 2013; Zürn und Ecker-Ehrhardt 2013). They might in fact actually openly or indirectly oppose democracy, by acting as "uncivil

society" (Thompson 2012), or be close to, or even controlled by, governments — in the form of so-called "GONGOs" (government-organized nongovernmental organizations, see below). Even when leaving uncivil society and GONGOs aside, there is often considerable disagreement within civil society about who represents the "true voice of the people"; grassroots and peoples' organizations thus might decide to distance themselves from "NGOism," but the distinction between these concepts is in reality often blurred and sometimes more tactical than inherent.

Civil society involvement therefore does not automatically open up a chance for democratization, but it certainly has the potential to do so in a number of different ways. For one thing, civil society can demand participation based on the "all affected principle," as first defined by Robert Dahl: "Everyone who is affected by a decision of a government has a right to participate in that government" (1990: 49). While developed on a national basis, proponents of democracy beside the nation-state — be they cosmopolitan, transnational, or deliberative in nature — base their claims on this principle as well. For example, if the government of a country decides to build a dam on a river then the people of several other countries may also be affected by this decision and thus there should be a way for them to participate in relevant decision-making processes. Of course, the people in the country that builds the dam might not have had any say in that decision either, so they might join forces with the affected individuals from other countries and advocate on a transnational or regional level to influence or oppose the project. By doing so the activists are creating transnational political spaces (Rother 2009b), in which politics are deliberated across borders — with states being neither the sole or even main actors involved (for the related concept of transnational social spaces, see Pries 2008). New communication technologies have made a significant contribution to the creation of such spaces, since social media campaigns, Skype conference calls, Facebook, and/or newsgroups play an important role in transnational collaboration.

These transnational political spaces might also facilitate another way in which civil society can contribute to democratization — by giving "voice to the voiceless," that is to marginalized or subaltern groups (Grugel und Uhlin 2012; Spivak 1988). These could for instance be migrants, indigenous people, or LGBTIQ, who often not only lack representation at any level but also face sometimes severe forms of discrimination. Admittedly, this has to be considered — especially in the early stages of activism — as a rather low-level form of democratization if one has classic indicators thereof (formal institutions, formal participation in decision-making, and so on) in mind. However since the concept of democratization that I employ here is rather process-orientated in nature, the opportunity to bring marginalized peoples' concerns onto the agenda could at the very least be considered a first step toward further forms of participation.

Employing this bottom-up perspective on democratization includes processes in the analysis that could be overlooked if one were to exclusively focus on the

institutional design of ASEAN and on civil society participation in policymaking. In a recent study on the Southern African Development Community (SADC), Andréas Godsäter made a similar observation: "Most studies dealing with civil society in regional governance have a state-centric approach, focusing on the marginalization of civil society organizations (CSOs) in such processes, treating them as rather passive actors" (2015: 100). Of course, it still is important to map out the institutions and spaces established by governments, which in the case of ASEAN could, as Kelly Gerard (2015) has aptly put it, indeed be considered mostly "smoke and mirrors."

In sum, in order to successfully address my research puzzle I thus identify the two key strategies by which civil society actors can contribute to a strengthening of the "all affected principle": making use of and expanding spaces provided by nation-states and state-led institutions, such as interface meetings (top-down), or by creating their own independent networks and spaces of deliberations (from below/bottom-up; alternative regionalism). If both of these strategies are combined, the approach would be considered inside-outside in nature (Rother 2009a). Such strategies include agenda setting, framing, blaming, and shaming.

Political space for civil society in ASEAN

The trajectory of the recent history of democracy and democratization in Southeast Asia has been an uneven one. According to the 2014 Freedom House Index, not a single one of the ten constituent member countries of ASEAN qualifies as "fully free." Longstanding democracies such as Thailand have relapsed into authoritarian regimes after the recent coup d'etat, the democratic transition in Myanmar has for a while been promising but characterized by many setbacks, and even in Indonesia the initial euphoria surrounding the election of Joko "Jokowi" Widodo in 2014 has quickly given way to disappointment. The handling of civil society in most other member countries ranges from restrictions to outright harassment and persecution, or even in some instances the prohibition of any independent organizing at all.

There are thus many cases where channels between domestic civil society groups and their governments are hard to establish or are even outright closed off. In their influential work on transnational advocacy networks (TANs), Keck and Sikkink (Keck und Sikkink 1998) develop the boomerang model as a way for civil society to work around this "blockage": groups in one country can use TANs to appeal to citizens of another country to lobby their own government to put pressure on the offending regime. However, this option might be problematic in several regards: If they lobby countries situated outside of the region, the pressure applied may be seen as Western interference. Furthermore, lobbying countries within the region might not be successful since they might hide behind the ASEAN noninterference norm — sometimes doing so because they want to avoid being reprimanded themselves. This

norm has actually softened in previous years (Radtke 2014), but can still be conveniently used when needed to rebut any civil society pressure.

ASEAN civil society has therefore regularly resorted to throwing the boomerang all the way up — that is, to the level of the UN. When analyzing civil society campaigns in Asia — and particularly Southeast Asia — it is striking how many of them revolve around global conventions (Piper und Rother 2011). Considerable effort is put into lobbying for ratifications or for legally binding instruments on the national and regional levels that are in line with these conventions. For example, there are regular campaigns to "step up" the ratification of the UN migrant worker convention (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families) — an instrument that is, contrariwise, largely unknown among migrants in most Western countries. And while the ratification rate of the nine UN core International Human Rights Instruments is uneven in Southeast Asia, some — such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) — have found more support. The regular reporting mechanism regarding the adherence to these instruments can therefore be used as a boomerang target for civil society organizations by creating shadow reports. In some cases, this has led to more participatory measures: after facing significant embarrassment through a critical civil society shadow report on their migration policies, the Philippine government established the LOIPR (list of issues prior to reporting) mechanism for consultation.

The regional level, on the other hand, has only recently been identified as a midrange vertical boomerang target. Several civil society activists expressed in informal conversations held during my research that they simply did not consider ASEAN to be relevant enough to their agendas and advocacy. One obvious reason for this lies in the ASEAN Way of conducting regional politics being characterized by informality, nonintervention, and consensus (Rother 2012), an approach that thus represents a major hindrance to exerting even mild pressure from above on member states. Instead of coming back down, the boomerang may very likely instead be vaporized in a cloud of consensual rhetoric. Even with increased integration, these ASEAN norms are still in place — although there has been a rising awareness of late that cross-border issues beside security ones require a regional response being given to them (Manea 2009). While civil society therefore has very low expectations about the likelihood of ASEAN exerting pressure from above they have nevertheless increasingly worked on creating this regional pressure themselves by using the spaces and publicity provided by regional meetings. Additionally, they continue to build alliances with other networks and to identify like-minded actors — such as parliamentarians, human rights commissioners, and so on (see also the contribution of Maria-Gabriela Manea in this special issue).

Rüland has characterized interest representation in ASEAN as "a case of regional corporatism": "ASEAN governments have transferred domestic organicism and its

corporatist system of interest representation to regional governance" (2014: 245). In the "Guidelines on Accreditation of Civil Society Organizations," it is made clear that an organization is only welcome if it "promotes, strengthens, and helps realize the aims and objectives of the ASEAN Community" (ASEAN 2009). In classical ASEAN rhetoric, the objectives of accreditation are listed as:

a. To draw the CSOs into the mainstream of ASEAN activities so that they are kept informed of major policies, directives, and decisions of ASEAN and are given the opportunity and the privilege of participating in ASEAN activities;

b. To ensure interaction and fruitful relationships between the existing ASEAN bodies and the CSOs; and

c. To help promote the development of a people-oriented ASEAN Community.

When examining the 14-page-long list of organizations accredited as of May 11, 2015, a rather bizarre concept of what constitutes civil society emerges: The list starts with the Air Asia Foundation, which might at first be seen as an unusual choice made only due to alphabetical order — however it is indeed representative of the 52 organizations listed. The largest grouping can be characterized as that of business-related organizations (although the private sector is usually considered as a separate group from civil society); it is joined on the list by memorable groups such as the Chess Confederation and the ASEAN Kite Council. What is conspicuously absent, on the other hand, is any politicized, human rights-based group representing civil society.

Also not represented are those stakeholders who work on "human and social development, respect for fundamental freedoms, gender equality, the promotion and protection of human rights, and the promotion of social justice" (ASEAN 2009: 1). This list is part of the 2009 "blueprint" document that also positions ASEAN as a people-centered community with the goal of "building a caring and sharing society which is inclusive and harmonious where the well-being, livelihood, and welfare of the peoples are enhanced" (ASEAN 2009: 1). These goals are part of the "Socio-cultural Community," one of three pillars of the ASEAN community, with the other two being "Political Security" and "Economic Integration." In practice, this "pillarization" of ASEAN occasionally seems artificial — for example, "skilled labor" is part of the Economic Community Blueprint while protection of migrant workers is delegated to the Socio-cultural Community Blueprint.

While it is difficult to receive formal accreditation from ASEAN itself, notwithstanding a platform has emerged in the past decade that does provide space for varying forms of civil society engagement: the ASEAN Civil Society Conference.

The ASEAN Civil Society Conference/ASEAN Peoples' Forum

Whether one considers it surprising given the country's ambivalent track record on civil society relations or in line with the corporatist traditions in the region, the fact remains that it was Malaysia that first initiated the ACSC. When the country held the annually rotating ASEAN Chair in 2005, it had become apparent that the then-existing ASEAN People's Assembly (APA), organized by the think tank network ASEAN-ISIS, had by then run its course. Over the nine years of its existence, the process had increasingly lost the support of regional civil society organizations due to its highly selective participation modalities and to the top-down approach taken by ASEAN-ISIS (for an account of the establishment and decline of APA, see Gerard 2013).

When the ACSC returned to Kuala Lumpur in 2015, Hamid Albar, former Foreign Minister of Malaysia, looked back at the first meeting ten years prior and described his motivation in supporting it as follows: "At that time, I realized that governments had to get out of their comfort zone and speak face-to-face with regional civil society because ASEAN would not be able to maintain its relevance and grow as a people-centered community without such engagement and cooperation" (in his keynote speech delivered on April 22, 2015). However the interface meetings turned out to be one of the major obstacles to the furtherance of the ACSC process, as will be discussed further in due course.

Subsequent meetings were first organized under the guidance of Solidarity for Asian People's Advocacy (SAPA), a major network seeking to engage ASEAN and comprising around 100 national and regional civil society organizations (Gerard 2013). SAPA, along with the ACSC, affiliated with the aforementioned PAAR and its concept of democratizing regionalism. Over the years, a comprehensive organizational structure for preparing the meetings has been established. There is a permanent regional body, consisting of elected members who organize the event in cooperation with the national organizing committee (NOC) — itself consisting of civil society organizations — from the hosting country in the respective year. There are regional bodies responsible for such activities as drafting and finance. The 2015 Malaysian NOC also designated members to a vast range of issue areas; among the 18 different ones listed were those of Women, Indigenous People, Children's Rights, Farmers/Fisher Folks, Democracy and Elections, Urban Poor, and LGBT.

The additional name of the APF was added for the 2009 meeting in Thailand "in order to accommodate the different interpretation toward the term CSO and people's organizations from Thailand's CSOs," as the 2015 program somewhat nebulously elaborates. To stay clear of such debates on names and definitions, the forum now welcomes representatives "from civil society organizations, NGOs, people's organizations, and people's movements."

Over the years, a core format for the ACSC/APF has evolved. The conference takes place just before or close to the annual ASEAN Summit in spring, when the heads of

government of each member state meet. In 2009 (Thailand) and 2012 (Cambodia), civil society also held meetings corresponding to the second annual heads of government meeting in autumn; regularly holding two meetings per year might be beyond the resources of civil society, however. Several days of plenary sessions and workshops usually result in the drafting of a joint statement and recommendations for the ASEAN leaders. ACSC/APF describes as one of its features the opening of spaces for dialogue with ASEAN leaders; however, as the 2015 program diplomatically puts it: "Whether CSO representatives are able to meet with ASEAN heads of state in the form of an interface during the ACSC/APF depends upon the attitude of the government hosting the summit and ACSC/APF." In any case, civil society submits the outcomes of its deliberations to the ASEAN Secretariat and to the various government representatives.

2012 was the year in which the attitude of the host government was, by all accounts, not at all hospitable to civil society organizing. The Cambodian government was reluctant to provide political — or in some instances even physical — space to civil society representatives. The series of restrictions imposed and forms of intimidation used went as far as threatening to cut off the power and padlock the venue when case-sensitive issues such as land evictions were discussed (Gerard 2013). The two meetings thus by no means lived up to their grand themes of "Transforming ASEAN into a People Centered Community" and "Making a People-Centered ASEAN a Reality." Civil society organizations considered the meeting held the following year in Brunei Darussalam (theme: "ASEAN: Building Our Future Together") to be a further source of disappointment.

It was in fact Myanmar, the long-term pariah member of this regional organization, who would host the as of yet largest such gathering in 2014. An unexpected 3000 people attended, bringing new energy and dynamics to the process and between them agreeing on a declaration that was to be used henceforth as the basis for civil society advocacy (Rother 2014). The Yangon gathering also demonstrated that impulses for participation can flow both ways between the regional and national levels: A number of national consultation events held before the ACSC in Myanmar had already drawn a high number of attendees and raised awareness among organized civil society in the country. As a result, some representatives of ethnic groups took on several days of overland travel in order to be able to participate in the main event. There, they had the opportunity to connect with indigenous groups from other ASEAN countries and exchange campaign strategies, knowledge on international conventions, and the like.

Regional gatherings may also lend support to a group that is marginalized even within national civil society — with this in the case of Myanmar being the Muslim minority from the state of Rakhine, known as the Rohingyas. Most Burmese participants were reluctant to address the topic; some nationalist Buddhist monks even openly attacked the use of the nomenclature "Rohingyas" during the

conference, instead referring to them as "Bengalis" and branding them "illegal immigrants from Bangladesh." But several other delegates kept bringing up the plight of, according to the UN, one of the most persecuted minorities in the world. However, they were not specifically mentioned in the final declaration — an omission that was later addressed during the 2015 meeting in Kuala Lumpur, and afterward with statements such as the May 27 press release titled: "A people-centered ASEAN must ensure dignity and human rights for the Rohingyas."

Apart from this issue, a wide range of other controversial tropics were openly addressed in Yangon — including the rights of LGBTIQ individuals and sex worker activists, matters that would have been considered taboo in the country only a few years earlier. Obviously, there is wide range of views on prostitution in civil society — ranging from total abolition to official recognition. But it would be misguided — and from a democratic perspective also undesirable — for civil society to come up with one unified perspective thereon. Rather, democratization from below refers to building spaces wherein civil society can deliberate viewpoints and policies not only in collaboration with or in opposition to governments but also among itself.

Thus, a lively debate in Yangon unfolded involving the very visible sex worker activists who were carrying umbrellas, thereby signaling their cooperation with the Red Umbrella Fund — an initiative launched in 2012 that came out of the Donor Collaboration to Advance the Human Rights of Sex Workers. The Asia Pacific Network of Sex Workers (APNSW) is one of the beneficiaries of this funding. Beside calling for the recognition of sex work as official work, the participants also made some pointed and potentially controversial statements — such as highlighting the importance of sex work in the tourism industries of countries like Thailand.

By self-definition, the ACSC/APF also features as "a forum through which participants can better understand the host country from the perspective of civil society." What this means in practice is that pressing national concerns of civil society and its — often tense — relationship with the national government are brought before a regional audience. For example, in a plenary session on "Myanmar in Transition," Ko Moe Thwe, Secretary General of the National Youth Congress and President of the prodemocracy Burmese youth movement Generation Wave, stated that: "Our country is still under a military government, the military has total control of the administration and legislation." He blamed the dictatorship for systematically destroying the country, leading to deteriorating educational and economic systems as well as endemic poverty. Young Burmese participants were visibly excited over such public statements, which had been unthinkable occurrences only a few years previously. Similarly harsh criticism over issues such as the Malaysian government's use of the colonial era Sedition Act to limit freedom of speech and rigged elections were voiced in Kuala Lumpur. The political space provided by the regional event can thus be used for the blaming and shaming of the respective national governments.

Not all ASEAN member governments take such freedom of expression lightly, as the example of Cambodia has shown. Laos meanwhile, who will hold the chairmanship in 2016, allegedly even tried to intervene before the Kuala Lumpur meeting took place. Lao activists accused the government of trying to suppress discussion in the ACSC statement of the disappearance of human rights activist Sombath Somphone. The statement was released ahead of a gathering in which he was cited as a prominent example that "states and non-state actors continue to commit violations with impunity, including police brutality, torture, and enforced disappearances, against civil society activists." Lao activists claimed that "during the drafting of the statement, a retired Lao official named Maydom Chanthanasinh pressed the Lao delegation of civic groups to strike Sombath's name from the statement" (Big News Network 2015). This strategy backfired, since the case of Sombath Somphone was widely discussed in Kuala Lumpur and was literally made visible through t-shirts and flyers bearing an iconic representation of his face. The activists thus succeeded in agenda setting and politicizing the issue in Kuala Lumpur; however ACSC organizers and Laotian participants expressed concerns about whether it would now be possible to organize a meeting in Vientiane in 2016.

The Lao activists were not the only participants to come into confrontation with their government. A group calling itself a collaboration of "genuine Vietnamese civil society organizations" issued a statement in which it complained about being marginalized from the so-called "Vietnamese national process for ACSC/APF 2015." Huynh Thuc Vy from Vietnamese Women for Human Rights (VNWHR) wrote:

> Independent Vietnamese CSOs, excluded from our own national process for many years, have fought hard to have a voice in the 2015 ACSC/APF. Unfortunately, our full participation is still impossible because of the Vietnamese government. Many genuine civil society organizers are surveilled, harassed, monitored, intimidated, threatened, attacked, detained, jailed, and generally restricted in our movement. An additional obstacle is the monopolization of ACSC/APF space by Vietnam's GONGOs, who constantly fight to erase and silence our inputs, voices, issues, and concerns from the conversation (Email to ASEANcats newsgroup April 17, 2015).

The statement gathered significant support ahead of and during the forum, which put the regional organizing committee in an awkward position since the Vietnamese GONGO in question is among its members. Nevertheless, civil society organizations not affiliated with the Vietnamese government were given their own booth and were able to question the legitimacy of the GONGO representative in plenary sessions.

These incidents are exemplary of a fundamental struggle that the ACSC/APF faces: one over legitimacy and representation. This tension often comes to a head when it comes to the appointment of the representatives for the interface sessions, with several states rejecting the delegates selected by civil society and replacing them instead with representatives from GONGOs. Therefore the initial euphoria after the

Yangon meeting was later dampened when the governments of Cambodia, Malaysia, and Singapore demanded the substitution of three civil society delegates with their own nominees. As a result, the whole ACSC delegation withdrew from the interface. In Kuala Lumpur, the government of Cambodia rejected the APF representative and replaced her instead with a government official; the government of Singapore meanwhile selected its own representative, claiming that Singaporean civil society had not met the selection deadline. The case of Vietnam is debatable, since it formally accepted the selected representatives even though, as discussed, "genuine" civil society representatives were excluded from the selection process.

This time the ACSC/APF did not withdraw however, instead deciding to attend the meeting (which was shortened from 30 to 15 minutes). The chair of the Kuala Lumpur civil society meeting, Jerald Joseph, called for a framework for engagement as part of the post-2015 ASEAN Vision. In its present form, the interface merely consists of the reading of the statement without any real dialogue. APF organizers point out, though, that it still presents an opportunity for agenda setting by confronting governments with the issues that they usually try to shy away from; in the Kuala Lumpur statement these included: rising inequality and poverty, the disappearance of human rights activists, the acceleration of death penalty executions, the dangers of unmitigated free trade agreements, widespread corruption, increasingly fragile peace processes, the growth of religious extremism, land and natural resource grabs, the stateless Rohingya people, waning democratic practices, the continued existence of police brutality and unprofessional conduct in the region, various forms of discrimination, the lack of coherent commitment to the addressing of climate change, the glorifying and strengthening of repressive colonial laws, and the exploitation of migrant workers.

Several organizers also stressed that if and how an interface session takes place should not be used as the primary benchmark for the success of the ACSC/APF process. The main objective is instead seen as providing space for dialogue and coalition building among regional civil society. As discussed above, the ACSC/APF is also a place for discussing different strategic viewpoints. One of the major ones therein is the relationship with state actors: Are there too many state representatives invited to the civil society meeting or does this presence provide a rare opportunity to voice the demands of marginalized groups? In a statement released after the Kuala Lumpur meeting, Malaysian activist Charles Hector posed the question "Is civil society becoming toothless?" He considered the declarations coming out of the 2015 ACSC/APF to be "sadly LAME and with really no bite. Both were rather 'diplomatic' and looked like efforts to be in the 'good books of the governments'" (Hector 2015). He also pointed out that the Malaysian government had allegedly sponsored the event to the tune of half a million ringgit, although Jerald Joseph had stressed that this money came with no strings attached. Nevertheless, it fueled the debate about whether civil society should organize in relation to government meetings or rather aim for the creation of more independent spaces.

The ASEAN Youth Forum

These conflicting views on how to move the advocacy forward also affected the AYF, and led to the split that resulted in the emergence of a "national" and a "regional" AYF. The Forum was established in 2009 by the ASEAN Youth Movement, on the basis that youth issues are of particular relevance in a region that includes countries like Cambodia — where around 40 percent of the population is currently under 20 years old. Using a definition of youth that includes those up to 35 years of age, the AYF claims to represent the interests of the about 60 percent of the ASEAN population falling into this age group. Providing space for young people to voice their concerns is thus considered an important step toward a more participatory ASEAN.

Nevertheless, the forum that is usually held before the ACSC/APF did not gain much popular attention until the year of Myanmar's chairmanship (Rother 2014). This 2014 meeting was held in a location with high political significance, Yangon University — traditionally a center of civil dissent in the country, as expressed in such events as the "8888 Uprising" pro-democracy protests that took place around August 8, 1988. As a result, in the following years the university was often closed down and education was decentralized by the military junta. Lack of educational opportunities in a vast range of disciplines, including Political Science, were therefore among the most pressing issues of the national youth delegates.

The meeting resulted in the Yangon Declaration that gained significant media attention and addressed issues such as democracy, good governance, anti-land grabbing, anti-trafficking, anti-corruption, the situation of sex workers, and again a very strong support for the rights of LGBTIQ — one of the organizers even wore the rainbow flag when presenting the declaration under the slogan "One Community! One Strategy! Youth for Unity!" to the media. While the issue of the Rohingyas was not listed explicitly in the declaration, there were representatives of the First Muslim Youth Forum, held one month earlier in Myanmar, present. They distributed their own written statement, calling for multiculturalism, the rights of Muslim women to be recognized, and for dialogue between different faith groups. They also cautiously provided international observers with horrific pictures documenting the fate of victims of the 2012 Rakhine State riots in the country. The AYF organizers considered the Yangon meeting a major step forward, first as a result of the declaration that established the principles for further advocacy by the forum and second because for the first time they managed to negotiate their own interface session with government representatives. While only three member countries did not replace the delegates to the session with their own representatives, the AYF nevertheless still went ahead with it since no changes were made to the rather progressive agenda of the declaration.

During the AYF preparations for Kuala Lumpur, a split emerged between the national and the regional organizing committees of the nascent process. The regional AYF felt that the local committee was aiming for a meeting that allowed too much space for government representatives and was more a showpiece event than a process-based dialogue. Ten days before the event, Indonesian representative Shantoy Hades announced the regional committee's withdrawal and setting up instead of "a small yet intensive and rights-based meeting of passionate and committed young people from the region. Size doesn't matter as long as it is inclusive and has pure intentions to amplify voices and strengthen Southeast Asian youth power." Thus two events were held, with the national one boasting an impressive list of speakers while the regional one brought together young activists from the region discussing issues such as the social and ecological effects of dam building projects, LGBTIQ discrimination, and the arrest of those students in Myanmar who had been demonstrating for education reform. The regional AYF also decided on a further step toward institutionalization, specifically through establishing offices in Yangon and Yogyakarta. For the interface session the various youth representatives had to collaborate, with only the Indonesian and Myanmar representatives being self-selected and with the latter ultimately dropping out anyway as a protest against the student arrests.

Nevertheless, the Indonesian representative Ardhana Pragota managed to persuade the other delegates who had come up with proposals such as youth entrepreneurship and ASEAN internships to use the Yangon declaration as their statement instead. Pragota also used the occasion of the interface session to hand over a letter to Indonesian President Joko "Jokowi" Widodo, in which the AYF expressed solidarity with "a fellow ASEAN youth": the Filipina national Mary Jane Veloso, who was sentenced to death for smuggling heroin into Indonesia despite her and her supporters claiming that she was tricked into this and thus a victim of trafficking. In a last-minute decision, the execution of Mary Jane Veloso due to happen the following day was postponed; there is currently still fierce debate about how far this decision was taken due to government initiatives or to national and regional civil society advocacy — such as the NGO Migrant Care talking to the president or the militant group Migrante International staging protests — instead. In any case, AYF contributed to this advocacy and managed to arrange a meeting with Veloso shortly afterward.

Other spaces

While the ACSC/APF is among the most visible and largest of the civil society gatherings in the region, there are additionally a large number of civil society networks and initiatives that exist independent of government meetings. Several of these address women's issues: examples are International Women's Rights Action Watch Asia Pacific (IWRAW), based in Kuala Lumpur, which monitors the

implementation of the CEDAW and the Asia Pacific Forum on Women, Law, and Development (APWLD), based in Bangkok. There are also sectorial networks on issues such as migrant workers: among them Migrant Forum in Asia (MFA), based in Manila, and Coordination of Action Research on AIDS and Mobility (CARAM Asia), based in Kuala Lumpur. None of these networks restrict themselves exclusively to Southeast Asia, although ASEAN has become increasingly their point of focus and tellingly all of them have their headquarters in the region.

Migrant advocacy is particularly strong, since especially migrants in so-called "low-skilled jobs" are often excluded from labor rights. Furthermore, not only are they excluded from representation and participation in the receiving state but they also may not always enjoy the support of their home country either, which might consider remittances to be more important than rights. Labor migration has also provided an example of civil society trying to address policy shortcomings on the national and regional levels; an ASEAN instrument on the governance of labor migration has been active since the adoption of the — nonbinding — ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers in 2007. For years, however, the drafting committee only came up with a "zero draft" listing the various — and often contradictory — positions of its members. This is because receiving countries such as Malaysia and Singapore oppose a rights-based approach to such "low-skilled" migrants as domestic workers, and in particular the inclusion of family members and undocumented migrants in the instrument. In response a civil society-initiated Task Force on ASEAN Migrant Workers (TF-AMW) was set up, with it conducting numerous consultations in the member countries and then finally coming up with a proposal consisting of 192 specific recommendations for the format of such an instrument (Samydorai und Robertson, Jr. 2009). It can thus be considered a prime example of alternative regionalism from below (Rother und Piper 2015), but also highlights the hindrances to this process: While the ASEAN Secretariat acknowledged and supported the instrument, it so far has had no marked impact on the negotiations. Further, over the years the broad and participatory civil society coalition has gradually fallen apart due to differing views on representation. While this might be regrettable from an activist point of view, from a democratization perspective it can be considered a "normal" aspect of any struggle for broad participation.

Conclusion

The opinion piece quoted at the beginning of this article comes to the conclusion, regarding the possibility of a "democratization" of the regional organization, that "the aspiration to make ASEAN less elitist is laudable, but it does not reflect reality" (Thang S. Mun in *The Straits Times*, January 29, 2015). It is hard not to agree with this assessment when looking at the institutional setup of the organization; however, as this paper has argued, it is worthwhile to employ a process-orientated perspective

so as to successfully capture the efforts toward democratization happening from the ground up. These attempts to find or create political opportunity structures and spaces through which to bring marginalized peoples' concerns onto the agenda could at the very least be considered a first step toward further forms of broad political participation.

Here, we have to keep in mind the lowly starting point of these marginalized groups; for example, the Rohingya in Myanmar have very little hopes of being able to voice their concerns when the national government does not even recognize their name, even less so their citizen status. To employ national and regional advocacy with the goal of getting the Rohingyas accepted as a legitimate voice and politicizing the issue might be a long way from democratic practices, but it still constitutes a first step toward the process of democratization nevertheless.

It is debatable whether the ACSC/APF fully falls within the category of "alternative regionalism": After all, the process first emerged out of a government initiative, is closely connected to an annual government-led event, and has even occasionally received government funding. I would argue, though, that alternative regionalism does not necessarily denote full independence from governments; seizing political opportunity structures so as to use them for civil society strategies such as agenda setting, framing, blaming, and shaming — but also as an opportunity for dialogue — can still be considered alternative regionalism based on an "inside-outside" strategy. Hence, civil society might aim to build strong and independent regional networks outside of official contexts while using the interfaces "inside" to bring marginalized topics to the attention of both heads of governments and a wider public beside.

Numerous challenges to the process have been identified, including the role of GONGOs, the replacement of delegates, as well as the open hostility thereto from some host governments. The amount of political space available to the ACSC/APF very much depends on the host countries and their shifting political systems — who would have thought a few years ago that Myanmar would one day host the largest — and, some obvious exceptions notwithstanding, relatively most inclusive — civil society event in the region to date? Although the political climate in Myanmar has become more difficult for civil society since, such an event can have longer-reaching repercussions wherein the regional level can support democratic forces active on the national level. New initiatives such as the AYF have rejuvenated civil society advocacy in the region, even despite the Yangon meeting that successfully first put them on the map having been later followed by a split that would highlight conflicting views on process-orientated versus event activism and differences of opinion on the acceptable level of state corporatism.

As a response to the initial research puzzle, it has been shown that civil society has developed various strategies to further voice its demands on and increase its participation in a regional organization made up of mostly nondemocratic member states. Over the years, an organizational structure has been set up that provides the

ACSC/ASF process with increased independence from its government-led origins. The elected various bodies and organizing committees are an indicator of the existence of internal democracy and provide input channels for advocacy and issues from the ground up. Civil society that encounters a blockage at the national level increasingly uses the regional space for advocacy, as was illustrated by the case of Laos and the disappearance of human rights activist Sombath Somphone. It is rare that civil society organizations only focus on the ACSC/APF; rather, their main work and organizing might take place outside of official spaces. The participation inside of them is seen as a way of mainstreaming their agenda, or at least of politicizing issues by presenting them to a wider public and framing them in a rights-based manner.

When assessing the prospects of the ACSC/APF democratizing ASEAN through alternative regionalism, it should have by now become clear that the forum mostly serves as a platform for numerous processes, networks, and events that have been developed on the ground. The main objective is thus providing space for dialogue and coalition building among regional civil society, and it is questionable whether a more participatory and dialogue-orientated interface session could even be used as a benchmark for the increasing democratization of ASEAN. Annual events are by nature mostly symbolic; as such, allowing civil society organizations — or rather, the legitimate voices and concerns that they raise — into the political space of day-to-day politics could indeed be considered a major steps toward democratization.

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