Contemporary Southeast Asia is an internationally refereed journal that specializes in the politics, international relations and security-related issues of Southeast Asia and its wider geostrategic environment. Apart from serving as a reliable and up-to-date source of information on various events and trends in regional politics, international relations and security questions that affect Southeast Asia, *CSEA* also publishes the results of original research on these subjects by both scholars and other interested persons.

ISSN 0129-797X (print) /
ISSN 1793-284X (electronic)

ISEAS Publishing is a member of crossref and participates in Project MUSE Today's Research. Tomorrow's Inspiration.

The responsibility for facts and opinions presented in the contents of CSEA rests exclusively with the individual authors. Their interpretations do not necessarily reflect the views or the policy of the Editorial Committee, the International Advisory Committee, or the sponsors of CSEA, or ISEAS – Yusof Ishak Institute.

Annual Subscription Rates for 2023

	Individuals (Print & electronic)	Institutions
Asia/Japan/Aust/N.Z.	US$59	US$92
Europe/North America/Africa/Mid. East	US$71	US$113
Singapore/Malaysia/Brunei	S$87	S$137

These annual rates include electronic delivery as well as the printed copy by air. *CSEA* is published three times a year, in April, August and December. Subscription orders and enquiries should be addressed to:

The Managing Editor
ISEAS – Yusof Ishak Institute
30 Heng Mui Keng Terrace
Singapore 119614
Tel: 68702483, 68702447 Fax: 67756259
E-mail: pubsunit@iseas.edu.sg

Electronic Access

The contents page and abstracts of articles are available on-line at the ISEAS Publishing website. Access is by user ID and password for individual subscribers. Institutional subscribers are bound by terms and conditions. Electronic Document Delivery service is also available to non-subscribers at S$10.90/US$6.40 per article. For more information, access ***http://bookshop.iseas.edu.sg***

Back Issues

Electronic version:
All back issues starting from volume 1 (1979) are now available in electronic form and may be purchased on-line at *http://bookshop.iseas.edu.sg.*

Print version:
Complete sets of back issues may also be purchased from ISEAS – Yusof Ishak Institute. For more information, e-mail: *pubsunit@iseas.edu.sg.*

Contemporary Southeast Asia (CSEA) is indexed in the Social Sciences Citation Index (SSCI); SCOPUS; International Bibliography of Periodical Literature on the Humanities and Social Sciences (IBZ); International Bibliography of Book Reviews of Scholarly Literature on the Humanities and Social Sciences (IBR); Sage Public Administration Abstracts; PAIS International; Contents Pages on Asia (INSEAD); World Affairs Online; International Political Science Abstracts; Ingenta; EBSCO Publishing; Sociological Abstracts; ProQuest Information and Learning; Gale Group; and ISI Emerging Markets.

Typeset in Singapore by International Typesetters Pte Ltd
Printed in Singapore by Markono Print Media Pte Ltd

CONTEMPORARY SOUTHEAST ASIA

Volume 45, Number 3 December 2023

Roundtable: Making Sense of Thailand's 14 May 2023 General Elections

Articles

CONTEMPORARY SOUTHEAST ASIA

INTERNATIONAL ADVISORY COMMITTEE

The Editors invite submission of manuscripts in the politics, security, political economy and international relations of Southeast Asia (defined as the 10 ASEAN member states and Timor-Leste). Manuscripts should be double-spaced and between 6,000–8,000 words, exclusive of endnotes. Manuscripts should be in Word-format and should be sent electronically to the e-mail address below. *CSEA* uses endnotes and follows the rules set out in Chapter 15 of the Chicago Manual Style, 12th edition. Authors should use British English. *CSEA* does not accept manuscripts that have already been published or are simultaneously being considered for publication elsewhere. Manuscripts accepted for consideration will be refereed by external readers.

The Editor,
Contemporary Southeast Asia,
ISEAS – Yusof Ishak Institute,
30 Heng Mui Keng Terrace,
Singapore 119614.

Enquiries and correspondence about editorial matters can be sent to the Editor at:

csea@iseas.edu.sg

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 335–413 DOI: 10.1355/cs45-3a

ISSN 0129-797X print / ISSN 1793-284X electronic

Introduction: Making Sense of Thailand's Seismic Elections

ALLEN HICKEN AND NAPON JATUSRIPITAK

Thailand's general elections on 14 May 2023 marked a seismic shift in its political landscape. The progressive Move Forward Party (MFP) secured first place, winning 151 seats in the 500-member House of Representatives and narrowly eclipsing the Thaksin Shinawatra-aligned Pheu Thai Party (PTP), which won 141 seats. Conversely, parties associated with the military and conservative establishment, the Palang Pracharath Party (PPRP) and the United Thai Nation Party (UTN), won only 40 and 36 seats, respectively.

The elections were historic, marking a decisive rejection of the military leaders—General Prayut Chan-ocha, the leader and prime ministerial candidate of UTN, and General Prawit Wongsuwan, the leader and prime ministerial candidate of PPRP—who had previously run the country under the veneer of democratic legitimacy. Both generals had orchestrated the 2014 coup that toppled the government of now-exiled Yingluck Shinawatra, established a military regime, and cemented their power via skewed conditions in the 2019 general elections. The 2023 polls also represented a break in the electoral hegemony that Thaksin-aligned parties had maintained since 2001.

Allen Hicken is Professor of Political Science, University of Michigan. Postal address: 505 S. State Street, Ann Arbor, MI 48109-1045, United States; email: ahicken@umich.edu.

Napon Jatusripitak is Post-Doctoral Fellow in Political Science at the Faculty of Political Science, Chulalongkorn University. Postal address: 254 Phayathai Road, Pathumwan, Bangkok, 10330, Thailand; email: naponjatusripitak@gmail.com.

This disruptive outcome was grounded in two key transformations in the political landscape: longstanding regional and political divisions, often driven by economic concerns and polarizing views on Thaksin, were transcended by ideological rifts over structural reforms related to the monarchy and the military; and traditional local power dynamics—underpinned by money politics, patronage networks and political dynasties—were challenged by social media and social movements which have become driving forces in shaping political discourse, party-building and campaigning.

Yet, old politics die hard. Despite the MFP's victory, the party and its prime ministerial candidate, Pita Limjaroenrat, were excluded from power. Pita's attempts to become prime minister were twice rejected by joint parliamentary sessions that included 250 military-appointed senators and the party was subsequently sidelined by the PTP, which brokered a new alliance with military and conservative elites to support its prime ministerial candidate, Srettha Thavisin. On 22 August—100 days after the election and within hours of Thaksin's return to Thailand from exile—Srettha was elected prime minister with the support of 11 parties, 152 senators and 16 Democrat Party (DP) parliamentarians who defied their party's directives. Ten days later, a royal pardon reduced Thaksin's prison sentence—imposed when he was in exile—from eight years to one year.

Despite the formation of a government that did not reflect the will of voters, the elections revealed ongoing transformations within Thailand's political landscape. This Roundtable in *Contemporary Southeast Asia* represents a collective effort to explore the nature and implications of these transformations. Scholars from diverse backgrounds each conducted fieldwork before or during the elections and have come together to share their analyses. A set of pivotal questions emerged during this process. To what extent did the authoritarian legacies established by the 2014 coup still shape political outcomes? How has the political landscape changed following the pro-democracy movements of 2020–21? What role did the ideology surrounding the monarchy play in policy debates and party stances? What were the effects of innovative campaign strategies, including the use of social media? What became of the once-influential political dynasties, and how have these dynasties and their methods for winning elections been impacted by these developments? How were longstanding regional and political divisions upended or transformed in the wake of these evolving dynamics?

Each article in this Roundtable engages with one or more of these questions. The major themes that emerge encapsulate a shared narrative of disruption: the unravelling of traditional political divides; the reconfiguration of party-voter linkage mechanisms; the strategic adaptation of party-building strategies; the evolving affective ties between parties and voters; and the decline of some parties' fortunes. Before delving into a discussion of these themes, we first describe the key events and milestones leading up to the elections. We then explore the themes and provide an outline of this Roundtable. Finally, we conclude with some reflections on the future of Thai democracy.

Context

As the 2023 elections drew near, Prayut, the prime minister since 2014, confronted a multitude of challenges that jeopardized his control over the government and his re-election prospects. His administration was supported by a PPRP-led coalition, which was kept afloat by a tenuous alliance with demanding but indispensable partners such as the Bhumjaithai Party (BJP) and the DP. The government faced an economy still recovering from the COVID-19 pandemic as well as the political fallout from the unprecedented wave of street protests in 2020 and 2021, primarily led by young activists who demanded broad structural changes, including reform of the monarchy.

Amid this turbulent backdrop, amendments to the junta-drafted 2017 Constitution yielded only one notable change: a shift from the single-ballot, mixed-member apportionment system employed in general elections in 2019 back to a dual-ballot parallel voting system similar to that used in the 2001, 2005 and 2011 general elections.[1] The reformatted rules favoured larger parties at the expense of smaller ones, particularly those lacking a well-defined, geographically concentrated electoral base.

While the return of the two-ballot system was widely seen as an effort to undercut support for the MFP, it also increased the likelihood of a PTP victory.[2] The changes meant that the "divide and rule" strategy employed in the 2019 polls—which focused on fragmenting the PTP while garnering support from smaller and micro-parties—was unlikely to succeed. Furthermore, after 2019, Prayut no longer wielded the sweeping authority granted to him by Article 44, which had given him considerable power as head of the National Council for Peace and Order (NCPO), the formal name for the junta that took power in 2014 but which was dissolved after the

2019 elections. Nevertheless, Prayut maintained a disproportionate influence over the formation of the next government after the 2023 polls because of the junta-appointed 250-member Senate, which (until May 2024) has the power to select the prime minister, alongside the 500-member House of Representatives.

Against this backdrop, the PTP claimed that it would win a landslide—a promise that seemed credible given its strong track record and its recent victories in provincial administration organization (PAO) by-elections.[3] Bolstering this promise, Thaksin's youngest daughter, Paetongtarn Shinawatra, was groomed as the party's prospective prime ministerial candidate. Officially, she was positioned as the head of the Pheu Thai Family, an organizational umbrella aimed at reuniting former party leaders and the Red Shirt grassroots communities.

This external challenge to Prayut was compounded by internal strife between him and Deputy Prime Minister Prawit Wongsuwan. Tensions between the two generals fuelled speculation about Prawit's own prime ministerial ambitions and desire to sideline Prayut. The situation reached a tipping point when the Constitutional Court suspended Prayut as premier in August 2022, pending a verdict on the duration of his tenure as prime minister. The court eventually ruled that he could serve only two additional years if he won another term in office. This verdict deepened the divide within the PPRP, splitting members into factions that supported either Prayut or Prawit as the party's next prime ministerial candidate. In January, Prayut joined the newly formed UTN, thereby officially parting ways with the PPRP and Prawit. This development led to the emergence of two military-backed parties in Thailand.

Similar to the situation in the 2019 polls, parties generally aligned themselves along the pro-military—pro-democracy axis. However, pinpointing a party's place on this spectrum became harder amid rumours of a potential deal between the PTP and PPRP.[4] The political landscape had also evolved due to the pro-democracy movements of 2020–21. Spurred by protesters' demands, parties found themselves compelled to publicly declare their stance on sensitive issues pertaining to the military and monarchy.

Consequently, policy debates moved beyond largely indistinguishable economic platforms to focus more on structural reform and ideological differences concerning the roles of the monarchy and the military. While the MFP was not the only party open to amending the lèse-majesté law, it stood out as the only party with a

credible commitment to do so. This stance was strengthened by the MFP's efforts to convert the lingering demands of the pro-democracy movements into a concrete legislative agenda, as well as its efforts to secure the release of detained activists, even running some of these activists as its parliamentary candidates. During the campaign, the public was particularly receptive to the MFP's promises, especially its vow not to form alliances with military-backed parties—a stance that the PTP failed to credibly commit to from the beginning. In the final stages of the election campaign, both the MFP and its leader, Pita, experienced a surge in the polls and ultimately surpassed PTP and Paetongtarn in terms of popularity, revealing a shift in public sentiment in favour of clear and decisive change.[5]

Outcomes and Discussion

Of the approximately 52 million eligible voters nationwide, some 75.71 per cent turned out to vote.[6] Unlike in the 2019 general elections, non-governmental organizations (NGOs) and civil society groups closely monitored the ballot counting process in 2023. The Election Commission of Thailand (ECT), which had faced criticism for its handling of the results in 2019, quickly announced that the MFP had secured the most seats. The aggregate election results (see Table 1) illustrate several compelling features. (1) The MFP and PTP were neck-and-neck on the number of constituency seats won (112), but the MFP pulled ahead in the party-list election—winning three million more votes than the PTP—giving it an edge in the overall seat count (151 against 141). (2) Despite their military backing, the PPRP and the newly formed UTN struggled in the election, securing only 40 and 36 seats, respectively, which suggests the waning influence of military-affiliated parties. (3) The difference in constituency votes and party-list votes for many parties demonstrated the prevalence of ballot splitting, where voters chose candidates from one party for the constituency vote but opted for a different party when casting their party-list vote. (4) The number of parties that secured only a small number of seats decreased significantly compared to the 2019 elections, consistent with the changes to the electoral system. (5) The MFP overwhelmingly dominated in Bangkok, winning all but one seat in the capital (see Table 2). The party's stronghold is unquestionably in the Central Region, where it won 82 seats. However, it also performed well in the North, including in areas such as Chiang Mai Province, which have traditionally

been considered strongholds of the PTP. (6) The BJP emerged as the third largest party, winning 71 seats, with a notable presence in the Northeast and South regions. (7) Once a significant player in Thai politics, the DP won only 25 seats. This suggests that the party is struggling to maintain its support base, even in its traditional stronghold in the South.

Table 1
Thailand's 14 May 2023 General Election Results

Party	Constituency Seats	Party List Seats	Total Seats	Per cent of Seat Share	Per cent of Constituency Vote Share	Per cent of Party List Vote Share
Move Forward	112	39	151	30.2	25.99	38.49
Pheu Thai	112	29	141	28.2	25.12	29.22
Bhumjaithai	68	3	71	14.2	13.8	3.03
Palang Pracharath	39	1	40	8	11.26	1.43
United Thai Nation	23	13	36	7.2	9.7	12.7
Democrat	22	3	25	5	6.13	2.47
Chart Thai Pattana	9	1	10	2	1.57	0.51
Prachachart	7	2	9	1.8	0.9	1.61
Thai Sang Thai	5	1	6	1.2	2.35	0.91
Chart Pattana Kla	1	1	2	0.4	0.8	0.57
Pheu Thai Ruam Palang	2	0	2	0.4	0.25	0.18
Thai Liberal	0	1	1	0.2	0.74	0.94
Social Power	0	1	1	0.2	0.05	0.47
Fair Party	0	1	1	0.2	0.03	0.49
Teachers for People	0	1	1	0.2	0.01	0.47
Thai Counties	0	1	1	0.2	0	0.54
New Party	0	1	1	0.2	0	0.67
New Democracy	0	1	1	0.2	0.04	0.73

Source: Authors' dataset compiled based on data obtained from the Election Commission of Thailand.

Table 2
Party's Seat Distribution by Region

Party	Central	Northeast	North	South	Total
Move Forward	82	8	19	3	112
Pheu Thai	15	73	24	0	112
Bhumjaithai	16	35	5	12	68
Palang Pracharath	9	7	16	7	39
United Thai Nation	7	0	2	14	23
Democrat	2	2	1	17	22
Chart Thai Pattana	8	1	0	0	9
Prachachart	0	0	0	7	7
Thai Sang Thai	0	5	0	0	5
Pheu Thai Ruam Palang	0	2	0	0	2
Chart Pattana Kla	0	0	1	0	1
Total	139	133	68	60	400

Source: Authors' dataset

The contributors to this Roundtable identify several emerging themes and transformative dynamics related to the elections. One such transformation pertains to the reconfiguration of traditional political divides in Thailand, most notably the urban-rural divide. Allen Hicken, Napon Jatusripitak and Mathis Lohatepanont argue that the interpretations of urban-rural dynamics, as framed by Anek Laothamatas, are due for an update. While this divide continues to be a salient factor in shaping party preferences, it no longer exclusively represents a dichotomy between Bangkok and the rest of the country. Instead, their analysis suggests this divide is now more nuanced and extends throughout Thailand.

A second pivotal shift involved the transformation of party-voter linkages. Using original survey data, Siripan Nogsuan Sawasdee identifies three distinct patterns of party-voter linkages adopted by Thailand's leading political parties. Her research suggests that the electoral landscape is becoming increasingly complex as parties evolve in divergent directions and appeal to a varied electorate using different linkage mechanisms. Siripan highlights how traditional

voter-party linkages, often built on political brokerage or policy alignment, are being challenged by new methods facilitated by the rise of social media.

Shedding more light on this dynamic, Viengrat Nethipo, Noppon Phon-amnuai and Hatchakorn Vongsayan examine the electoral defeats of the political dynasties as a reflection of broader shifts in party-voter bonds. They argue that the decline of these dynasties is linked to the rise of innovative campaign strategies, particularly those enabled by social media platforms such as TikTok, which has proven disruptive to traditional vote-mobilization methods such as vote-canvassing and patronage networks.

Adding another layer to the discussion, Jakkrit Sangkhamanee investigates the role of emotional connections between parties and voters, conveyed through tangible and intangible forms of "political intimacy". By contrasting the PTP and MFP's campaign rallies, Jakkrit argues that new forms of political intimacy—facilitated by social media and defined by the concept of political fandom—are gradually displacing older, more traditional connections based on imagined family ties or kinship.

Akanit Horatanakun redirects the discussion from campaign strategies to the underlying organizational roots that gave rise to these new forms of voter engagement, using the MFP and its predecessor, the Future Forward Party (FFP), as case studies. Akanit traces the origins of these parties and argues that their strategies of articulation—parliamentary operations, political education and electoral mobilization—were significantly influenced by their origins as movement-based parties within the unique context of a military-dominated political landscape.

Other contributors take a different approach, shifting their focus towards the decline and challenges faced by specific political parties. Suthikarn Meechan investigates the declining electoral supremacy of the PTP in Thailand's Northeast region—known as Isan—and analyses three key challenges: resistance from entrenched political dynasties; limited opportunities for local network building in the post-2014 coup context; and the growing significance of new ideologies among both PTP supporters and younger voters. These factors collectively undermined the PTP's influence, especially in the face of competition from parties adept at traditional vote-canvassing methods, such as the PPRP and BJP, and from newer parties, including the MFP, that offered a more compelling ideology and had a stronger social media presence.

Kritdikorn Wongswangpanich examines the structural challenges stemming from the 2017 Constitution which confronted the PTP. Drawing on fieldwork, particularly in Ubon Ratchathani Province, he argues that the party's electoral loss can be attributed to its inability to fulfil its role as an opposition party when addressing the needs of constituents, its failure to adapt its money politics strategy in light of the transition to a two-ballot system and its overreliance on an outdated electoral blueprint—all of which are consequences of alterations to the electoral rules of the game and the PTP's shortcomings in learning from past experiences amid these changes.

Examining the 2023 electoral performances of the military-backed PPRP and UTN, Prajak Kongkirati explores the shortcomings of these parties as indicative of broader failures of authoritarian regimes in Thailand when it comes to retaining power through elections. These failures are influenced by three key factors: the historical legacy of past military coups; ineffective electoral strategies; and elite-level conflicts within the regime's inner circle.

Collectively, these contributions paint a picture of a political landscape undergoing significant transformation. While this presents challenges and opportunities for democratic consolidation in Thailand, it is crucial to understand that the link between electoral politics and the selection of leaders has been severed or distorted through a prime ministerial selection process influenced by appointed representatives, interventions by referee bodies and negotiations among elite actors operating outside of the electoral sphere. This suggests that remnants of the post-2014 coup era, and the entrenched power structures that evolved from it, continue to exert considerable influence over the trajectory of Thai democracy.

Yet, on closer examination, a significant shift is underway within the ruling structures that uphold the current conservative order, representing one of the most substantial realignments among the Thai elite in the past two decades. The PTP has now come to serve as a protective buffer for the conservative establishment against calls for sweeping reforms from parties such as MFP and the broader pro-democracy movements. These developments suggest that a new political fault line, primarily centred around the role and status of the monarchy and military, is becoming increasingly prominent.

NOTES

Acknowledgments: This research project is supported by the Second Century Fund (C2F), Chulalongkorn University.

1 The revised electoral framework reduced the number of party-list seats and reintroduced a system allowing voters to cast one ballot for a constituency candidate and another for a political party. Voters cast two ballots at the May 2023 general elections. The first was for candidates running in the 400 constituencies, elected using the first-past-the-post system. The second ballot was for one of the 67 parties competing in the election. These votes were aggregated at the national level to determine the proportional allocation of 100 party-list seats among the political parties.

2 "ธนาธร ชี้สูตรหาร 100 พรรคก้าวไกลเสียเปรียบ" [Thanathorn Points Out New Election Rule Puts the Move Forward Party at a Disadvantage], *Thai PBS News*, 30 November 2022, https://www.thaipbs.or.th/news/content/322095.

3 "Pheu Thai Win at Roi Et Polls Fuels Party's Landslide Hopes", *Bangkok Post*, 26 September 2022, https://www.bangkokpost.com/thailand/politics/2400638/pheu-thai-win-at-roi-et-polls-fuels-partys-landslide-hopes.

4 "Report of Pheu Thai-PPRP 'Secret Deal' Denied", *Bangkok Post*, 23 March 2023, https://www.bangkokpost.com/thailand/politics/2537054/report-of-pheu-thai-pprp-secret-deal-denied.

5 "Thailand's Pita Tops PM Poll as Opposition Leads Opinion Surveys", Reuters, 5 May 2023, https://www.reuters.com/world/asia-pacific/thailands-pita-tops-pm-poll-opposition-leads-opinion-surveys-2023-05-05/.

6 Election Commission of Thailand, "ผลการเลือกตั้ง สส. ทั่วไป 14 พฤษภาคม 2566" [General Election Results, 14 May 2023], https://ectreport66.ect.go.th/overview.

A New Tale of Two Democracies? The Changing Urban-Rural Dynamics at Thailand's 2023 General Elections

ALLEN HICKEN, NAPON JATUSRIPITAK AND MATHIS LOHATEPANONT

On the campaign trail in rural Thailand in the run-up to the May 2023 general elections, candidates frequently turned to the metaphor of a fried egg to describe the political landscape of their constituencies. According to this analogy, the "egg yolk" represents urban areas, where voters often base their voting decisions on programmatic appeals and party labels. This urban core is surrounded by the "egg

Allen Hicken is Professor of Political Science, University of Michigan. Postal address: 505 S. State Street, Ann Arbor, MI 48109-1045, United States; email: ahicken@umich.edu.

Napon Jatusripitak is Post-Doctoral Fellow in Political Science at the Faculty of Political Science, Chulalongkorn University. Postal address: 254 Phayathai Road, Pathumwan, Bangkok, 10330, Thailand; email: naponjatusripitak@gmail.com.

Mathis Lohatepanont is a PhD student in the Department of Political Science, University of Michigan. Postal address: 505 S. State Street, Ann Arbor, MI 48109-1045, United States; email: mathisl@umich.edu.

whites"—rural areas where voters are generally less susceptible to national sentiments (*krasae*) and are more inclined to vote based on the localized appeal of individual candidates.

This dichotomy employed by legislative contenders mirrors the broader analytical framework commonly used by scholars of Thai politics which emphasizes the urban-rural divide—or more specifically pits Bangkok against the provinces (*tang changwat*). In an influential essay published in 1996 titled "A Tale of Two Democracies", Anek Laothamathas depicted rural voters as focused on supporting their local patrons while Bangkok-based, middle-class voters yearned for honest, clean government.[1] But is this framing accurate and adequate, especially in the wake of the general elections in 2023? This article contends that there is now a significant degree of convergence in party preferences between Bangkok and the provinces, yet a distinct divide remains between densely populated urban areas and sparsely populated rural areas. In other words, Thailand is experiencing the emergence of *multiple* "fried eggs", each corresponding to the country's numerous urban centres, rather than a single Bangkok-centric "egg yolk".

A Tale of Two Democracies

According to much of the existing literature on Thai politics, the urban-rural divide is one of the most significant factors shaping social cleavages and political outcomes. Most notably, Anek Laothamathas argued that rural voters typically place greater emphasis on tangible, immediate benefits, which are often facilitated by patronage networks associated with politicians seeking electoral support. In contrast, urban voters tend to prioritize ideological principles and programmatic platforms.[2]

The divide outlined by Anek Laothamathas in 1996 set the stage for the rise of Thaksin Shinawatra and his Thai Rak Thai Party (TRT) in the early 2000s. Indeed, the popularity of Thaksin, a billionaire businessman-turned-politician, can be interpreted as a response to historic political and economic marginalization experienced by the rural population.[3] The TRT was widely supported by the rural majority and Thaksin's spell as prime minister (2001–6) intensified tensions between urban and rural populations, consistent with Anek Laothamathas's predictions. However, that framing does not fully capture the motivations of the rural electorate who supported

the TRT. Rather than simply succumbing to the influence of local patronage networks, rural voters were also drawn to the TRT because the party's policies addressed their needs and aspirations.

Economic development over the past 40 years has resulted in enormous structural changes to the economy, some of which run counter to Anek Laothamathas's clear-cut divisions between urban and rural politics. Andrew Walker, for instance, has written about the rise of "middle-income peasants", those who continue to reside in the countryside but have experienced rising incomes and engage with the state and economy in increasingly complex ways.[4] As a result of their changing, often precarious, circumstances these middle-income peasants make new and different demands on the state. Duncan McCargo, meanwhile, has conceptualized "urbanized villagers", those who reside in urban areas but maintain their voter registration in their rural home provinces.[5]

As such, the traditional urban-rural divide in Thai politics has become increasingly complex since Anek Laothamathas's article was published. This raises two important questions. First, have rural voters moved away from a reliance on patronage networks? Second, has economic development and migration within the country blurred the distinctions between urban and rural political preferences?

Convergence and Divergence

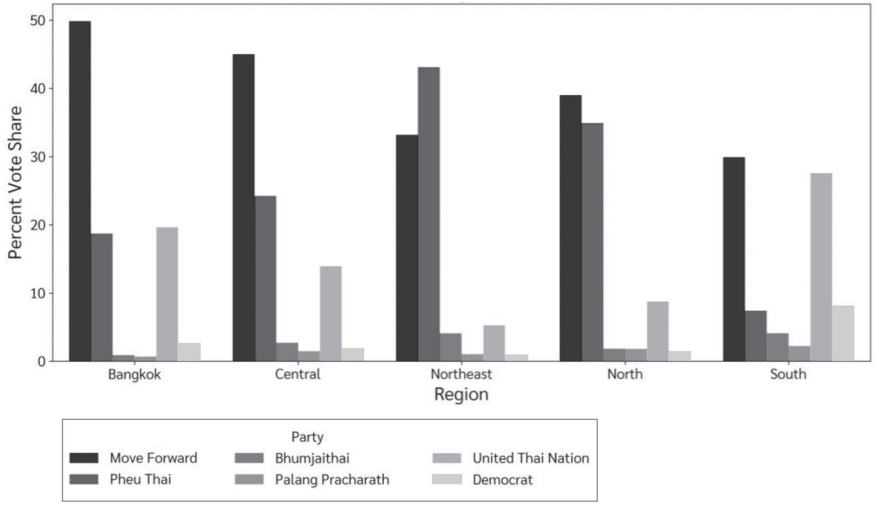
We contend that urban-rural divisions continue to remain a significant driver of variations in party strategies and election results but not in the way originally proposed by Anek Laothamathas. Although most parties—with the notable exception of the Move Forward Party (MFP)—continue to tailor their strategies to urban and rural settings, there is a growing convergence in party preferences. Continuing a pattern that began in 2001, Thailand has seen the formation of large national political parties that have managed to partially bridge the urban-rural divide by effectively competing for and securing support from voters across that divide. As a result, the sharp distinction between Bangkok and the countryside is becoming increasingly difficult to sustain analytically.

The 2023 general elections illustrate this phenomenon. Except in the Northeast region of the country, known as Isan, where it came second to the Pheu Thai Party (PTP), a successor of Thaksin's original TRT, the MFP emerged as the largest party in party-list

votes in nearly every region, including Bangkok (see Figure 1). This pattern holds when we disaggregate the data and focus on the provincial and constituency-level voting patterns. In all of Thailand's 77 provinces and 400 constituencies, the MFP finished first or second in terms of party-list vote share. It accomplished this primarily by maintaining a unified campaign platform nationwide. It campaigned on the message that "where there are uncles, there is no us" (*mee rao mai mee loong, mee loong mai mee rao*),[6] which echoed as strongly in the countryside as it did in Bangkok. This stands in contrast to the common practice of political parties running separate campaigns for urban and rural demographics, such as employing programmatic strategies in urban areas and patronage-based tactics in the countryside.

According to the results of the 2023 polls, geographic distinctions have become less pronounced. Although regional variations persisted, as evidenced by the fact that the MFP's share of the votes differed noticeably across regions, support for the party was crosscutting and transcended the stark regional divides that are sometimes assumed to be fundamental in Thai politics.

Figure 1
Party Preferences across Regions in Thailand (Party List)

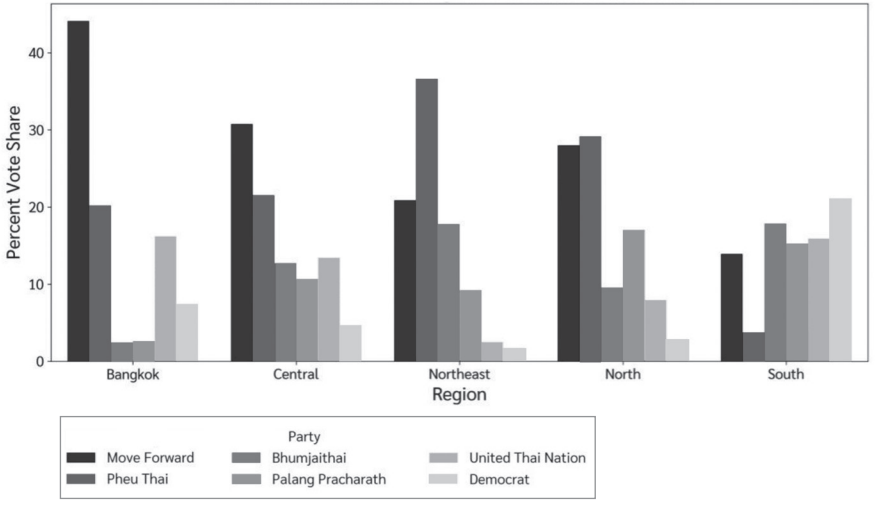


Source: Authors' dataset

However, even though there are some signs of convergence, it is important to avoid interpreting this as conclusive evidence that the urban and rural electorates have become fully aligned in their preferences. In fact, when looking at constituency-seat votes, rather than party-list votes, the contrast between Bangkok and other areas persists.[7] For instance, the MFP's candidates came first or second in only 216 of the 400 constituency seats up for grabs, and in only 45 of the 77 provinces. Moreover, the difference between the MFP's constituency-seat votes in Bangkok and those in other regions is more noticeable (see Figure 2). In addition, trying to explain convergences of preference based solely on similar voting patterns is questionable since it is possible that voters in urban and rural areas aligned with candidates from the same party, yet their decisions were grounded in distinct criteria or because of divergent campaign strategies.

According to our fieldwork in Kamphaeng Phet, a province in central Thailand, a candidate affiliated with the Palang Pracharath Party (PPRP) adopted a constituency service approach (tackling the problem of mosquitoes) in more urban areas, emulating the practices of Bangkok parliamentarians. Conversely, in the more rural part of the constituency, this candidate placed a stronger emphasis

Figure 2
Party Preferences across Regions in Thailand (Constituency)



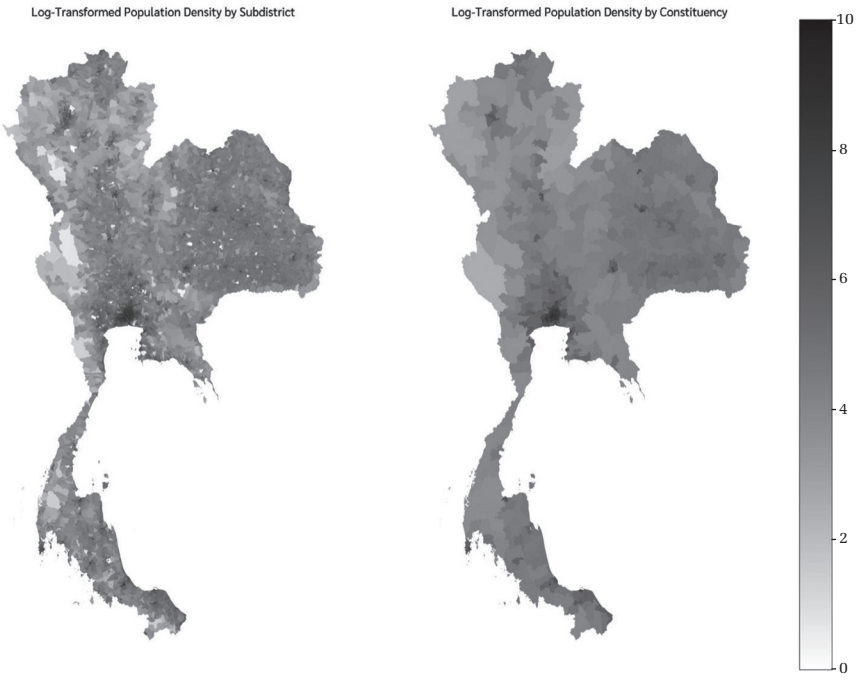
Source: Authors' dataset

on cultivating support through intricate networks of local leaders, so much so that he stated, "even if a pin were to drop, I could hear it".[8] In Ubon Ratchathani, a city in the Isan region, an MFP candidate took a different approach. Whereas the PPRP candidate in Kamphaeng Phet Province adopted distinct mobilizational strategies for urban and rural areas, the MFP candidate in Ubon Ratchathani pursued a programmatic approach in both contexts while adapting the issues to align with the interests of rural or urban voters. In the urban centre of this area, the candidate appealed to voters by leveraging the party's commitment to military conscription reform. In the rural area of the constituency, they spoke of more help for farmers and pensions for the elderly. These examples illustrate the persistence of the urban-rural divide, which may no longer be as apparent at the national level but which is still discernable across constituencies or even within a single constituency.

To further explore the extent of convergence, we extended our analysis of voting patterns to the subnational level. Rather than solely comparing voters in Bangkok with those in the provinces, we compared voters residing in more urban areas of the country with those in less urban areas. If the distinction between urban and rural is truly withering away, it should no longer serve as a reliable predictor of voting behaviour. To achieve this, we used population density as a proxy for urbanization and integrated this with the results of the 2023 general elections to explore the spatial dynamics of electoral politics. First, we obtained population data at the subdistrict level for the year 2022 from the Bureau of Registration Administration.[9] We merged this data with a "shapefile"—a file format commonly used for geospatial analysis—containing constituency boundary data corresponding to the Election Commission's announcement[10] and sourced from the Government Big Data Institute.[11] We then tallied the population of every subdistrict within each constituency, thereby calculating the total population for each electoral constituency. To determine the size of each constituency, we calculated its area in square kilometres, relying on the European Petroleum Survey Group (EPSG) coordinate reference system. Finally, we estimated the population density of each constituency by dividing its estimated total population by its calculated area.[12] Figure 3 displays density by subdistrict and constituency.

Using this dataset, we examined whether a party's vote share correlates with the level of urbanization in a constituency, as

Figure 3
Estimated Population Density in Thailand

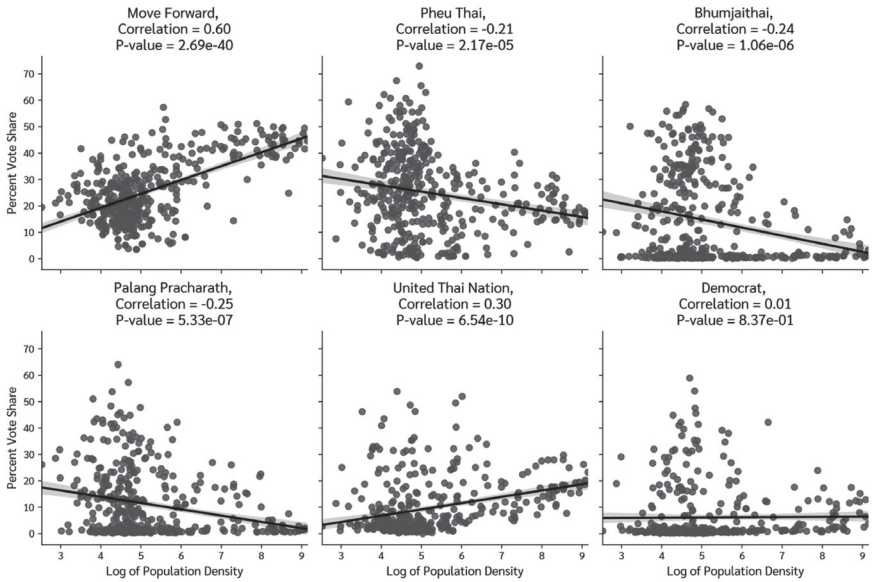


Source: Authors' dataset

measured by population density. Figure 4 charts the relationship between population density and party vote share (measured using constituency-seat votes) of the six largest parties in the 2023 general elections. If urban-rural distinctions have lost salience we would expect to see a flat line. A positive slope, meanwhile, would suggest greater support for a party in urban than rural areas and a negative slope would indicate the opposite.

Our results indicate that voting patterns, specifically support for candidates affiliated with different parties, are strongly correlated with the degree of urbanization at the constituency level for most parties. This correlation remains even if we exclude Bangkok from the analysis. Specifically, voters in more densely populated urban areas were much more likely to support the MFP compared to voters in rural areas. By contrast, support for the PTP and the Bhumjaithai Party (BJP) was strongest in more rural constituencies

Figure 4
Party Vote Shares by Population Density (Constituency Votes)



Source: Authors' dataset

and weaker in more urban constituencies. Interestingly, the PPRP and the United Thai Nation Party (UTN) were mirror images of each other—the PPRP held an advantage in more rural constituencies, while the UTN performed better in more urban constituencies. In short, there are still clear differences in voting behaviour between voters in denser urban areas and those in more sparsely populated rural areas.

Conclusion

There are signs of increasing convergence between urban and rural voters, particularly evidenced by the widespread crosscutting support for the MFP at the 2023 polls. At the same time, however, this article finds that the rate of support each party received varied between densely populated urban areas and less populated rural areas. Our research suggests that instead of a "single fried egg", we are seeing the emergence of "multiple fried eggs".

Although a lengthy analysis of the factors driving these results is beyond the scope of this article, we can offer some preliminary explanations. The interaction between technology and youth participation in politics appears to be a transformative factor, blurring traditional urban-rural divides. During our fieldwork, we often encountered stories of how young voters active on social media served as "organic canvassers" who engaged with their preferred party—usually the MFP—online while also encouraging friends and relatives offline to vote for that party rather than parties that had traditionally been locally dominant. We also found that the strength of local political machines also varied greatly from constituency to constituency. In areas where local political machines were less dominant, voters were more susceptible to being influenced by national political currents, such as anti-military sentiments.

In 1996, Anek Laothamathas argued that democracy would endure only if urban middle-class and rural voters converged. He wrote, "Such an alliance is only conceivable, however, only if the middle class becomes reconciled to the democratic understanding and aspirations of the rural voters rather than trying to remake them."[13] The image of the urbanite MFP expanding its appeal to more rural constituencies suggests that a more complicated picture may be emerging, one where both the urban and rural electorate are adopting a more ideological style of politics.

NOTES

1 Anek Laothamatas, "A Tale of Two Democracies: Conflicting Perceptions of Elections and Democracy in Thailand", in *The Politics of Elections in Southeast Asia*, edited by Robert H. Taylor (New York City, New York: Cambridge University Press, 1996), pp. 201–23.

2 Ibid. Subsequent scholars have focused on the class divisions that undergird or crosscuts this regional divide. See, for example, James Glassman, "The Provinces Elect Governments, Bangkok Overthrows Them: Urbanity, Class and Post-democracy in Thailand", *Urban Studies* 47, no. 6 (2010): 1301–23; Kevin Hewison, "Thailand: The Lessons of Protest", *Asian Studies: Journal of Critical Perspectives on Asia* 50, no. 1 (2014): 1–15; Naruenmon Thabchumpon and Duncan McCargo, "Urbanized Villagers in the 2010 Thai Redshirt Protests", *Asian Survey* 51, no. 6 (2011): 993–1018; Andrew Walker, *Thailand's Political Peasants: Power in the Modern Rural Economy* (Madison, Wisconsin: University of Wisconsin Press, 2012).

3 Tejapira Kasian, "Toppling Thaksin", *New Left Review* 39, no. 5 (2006): 5–37.

4 Walker, *Thailand's Political Peasants*, p. 6.

[5] Duncan McCargo, "Thailand's Urbanized Villagers and Political Polarization", *Critical Asian Studies* 49, no. 3 (2017): 365–78.

[6] This phrase was a regular part of MFP candidates' election communication. General Prayut Chan-ocha, who became prime minister after the military takeover in 2014 and served until 2023, and General Prawit Wongsuwon, the first deputy prime minister between 2014 and 2023, were widely referred to as "uncles" by the Thai media. In this context, the MFP's message represents a firm rejection of the possibility of forming alliances with these generals when attempting to form a government.

[7] For more information on the ballot system for the 2023 general elections, see endnote 1 in Allen Hicken and Napon Jatusripitak, "Introduction: Making Sense of Thailand's Seismic Election", of this Roundtable.

[8] Authors' interview with a PPRP candidate, Kamphaeng Phet, May 2023.

[9] Bureau of Registration Administration, "Population Data", distributed by the Bureau of Registration Administration, https://stat.bora.dopa.go.th/new_stat/file/65/stat_t65.xls.

[10] The Election Commission of Thailand, "Announcement of the Election Commission", distributed by the Election Commission of Thailand, https://ratchakitcha.soc.go.th/documents/140A023N0000000000500.pdf.

[11] Government Big Data Institute, distributed by Kittapat Ratanaphupha, https://github.com/KittapatR/Thai-ECT-election-map-66.

[12] This methodology rests on two core assumptions. First, population density was assumed to be a suitable measure of urbanization as urban areas are typically characterized by higher population densities than rural areas. However, this may have introduced discrepancies in the population density estimates since Thai citizens do not need to reside where they are officially registered to vote. Second, the analysis of voting patterns was conducted at the constituency level and did not account for variations within individual constituencies. Although this assumption of uniform population density within each constituency might lead to a loss of granularity, it served a practical purpose by facilitating a broader analysis of spatial trends without overcomplicating the analysis. For a visualization of actual within-constituency variations in population density, see Figure 1.

[13] Anek, "A Tale of Two Democracies", p. 222.

Breaking Bonds: Voter-Party Linkages in Thailand's 2023 General Elections

SIRIPAN NOGSUAN SAWASDEE

Some 270 first-time lawmakers were elected to parliament in Thailand's 2023 general elections.[1] Of those, 121 ran for the Move Forward Party (MFP), which emerged as the largest party in the polls, a pivotal moment in Thailand's political conjunctures. Dissatisfaction with the military government that had run the country since it had seized power in a coup in 2014, and the perceived failure of the pro-junta parties to effectively represent the interests of the people, have resulted in new, complex party-voter bonds.

Across the world, the ties between voters and political parties are becoming increasingly diverse.[2] Building upon the existing literature that categorizes linkage mechanisms into three major types—charismatic, clientelistic and programmatic[3]—this article seeks to conceptualize Thailand's voter-party bonds. It argues that in the 2023 elections, we saw more variety in the ways parties connect with voters. Some parties now depend less on patronage and more on the power of social media. This new type of linkage, driven by media engagement, poses a major challenge to the country's historic political power brokers and has resulted in new policies gaining traction among the electorate.

Siripan Nogsuan Sawasdee is Professor at the Faculty of Political Science, Chulalongkorn University. Postal address: Henry Dunant Street, Pattomwan, Bangkok, Thailand 10330; email: nogsuan@gmail.com.

Decoding Voter Priorities

To understand public priorities and preferences, the author conducted a post-election, face-to-face survey between 1 July and 31 July 2023. With 1,947 respondents selected to broadly represent Thailand's electorate, the survey sought to interrogate voters' decision-making as well as their policy preferences and media consumption patterns based on four survey questions: What factors influence your choice of a constituency candidate? What factors influence your choice of a party-list candidate? Which policies do you prefer the most? Where do you mainly obtain your information about political campaigns and elections? Each respondent was asked to select two choices from a list of possible answers that they deemed most important and relevant for each of these questions. The survey's results (see Table 1) suggest that the MFP's electoral success predominantly reflected the public's desire for change following nearly a decade of military and military-influenced governments. Additionally, voters' choices for constituency members of parliament (MPs) were influenced by past constituency work, with a notably high percentage of support for the Bhumjaithai Party (BJP) in this respect. Party affiliations also played a significant role, with ties to the Pheu Thai Party (PTP) ranked first, closely followed by the MFP. Other factors included perceived honesty, connections to political dynasties and the provision of financial incentives to voters. In terms of party-list votes (see Table 2), the electorate prioritized a party's prime ministerial candidate over its policies

Table 1
Factors That Influenced Your Choice of a Constituency MP (Percentage)

	Lead to changes	Perform constituency services	Preferred party	Honesty	Connection to political dynasties	Rewards and incentives	Others
MFP	62.2	32.0	40.8	17.7	3.1	–	–
PTP	28.6	56.1	42.9	20.0	8.2	–	–
BJP	18.2	86.4	36.4	9.1	9.1	–	–
PPRP	22.6	32.3	34.8	N/A	6.5	–	–
All voters	47.2	42.2	42.0	23.1	4.4	1.1	17.2

Source: Author's own survey

Table 2
Factors That Influenced Your Choice of a Party-List MP (Percentage)

	Lead to changes	Nominate preferred PM candidate	Favour party's policies	Trust party's experience	The party's anti-coup stance	The party's royalist stance	No answer
MFP	59.5	36.4	30.6	8.7	32.7	5.1	–
PTP	27.5	28.9	27.9	45.7	13.9	15.7	–
BJP	21.8	13.6	11.4	22.7	0	40.9	–
PPRP	9.7	22.5	12.3	29.0	0	61.3	–
All voters	45.4	32.2	29.8	22.2	20.9	17.3	5.1

Source: Author's own survey

and confidence in its experience. The MFP outperformed the PTP in both the preference for the prime ministerial candidate and policy platform. The survey results also indicate the growing importance of digital media over traditional sources of information. The contrast between the MFP's supporters, who primarily used social media as their source of information, and the supporters of the BJP and Palang Pracharath Party (PPRP), who relied on traditional media, was striking (see Table 3).

Table 3
Main Sources of Information by Party (Percentage)

	Social media	Television	Friends and family	Political parties	Election Commission	Local administration	Village head
MFP	79.7	38.4	36.4	16.2	6.2	4.2	3.2
PTP	50.0	57.4	28.9	7.1	7.9	8.2	6.4
BJP	26.0	62.3	13.6	3.8	6.5	–	9.4
PPRP	21.3	65.2	22.5	2.2	4.5	6.5	13.0
All voters	62.4	50.8	12.0	10.5	8.7	8.1	6.5

Source: Author's own survey

Conceptualizing Voter-Party Linkages in Thailand

Given the priorities of voters outlined above, this article identifies three logically distinct modes of voter-party bonds employed by the four largest parties at the May 2023 general elections: the MFP, the PTP, the BJP and the PPRP. These bonds are not mutually exclusive as each party used a combination of them to garner political support.

Political Brokerage

In Thailand, the practice of patron-clientelism runs deep in the country's social fabric and is the oldest and most widespread method through which voters connect with political parties.[4] In essence, local "political brokers" provide incentives, benefits, favours and services to individual voters or groups of voters in exchange for their votes. Political brokers, such as village headmen, local political officials and state officials, are informal networks of influential individuals and their patronage circles. In addition to local authorities and provincial political families, even village health volunteers, who played a significant role in managing the COVID-19 pandemic, acted as important political brokers. For instance, in the run-up to the latest election, Anutin Charnvirakul, then-Minister of Public Health and the leader of the BJP, approved a budget increase, raising the payment for local volunteers from 1,000 baht (US$30) to 2,000 baht (US$60) per month.[5] Besides the BJP, the PPRP is also well known for using political brokers to secure electoral support at the constituency level.[6]

This linkage thrives in rural social structures where voters' expressions are restricted and where interest aggregations are fragile. Thus, party candidates focus on local constituency concerns rather than their party's national programmes. In other words, this traditional brokerage model does not prioritize ideology, while loyalty to a party stems from personal connections and kinship or from exchanges of money or services. As a result, supporters are not expected to go beyond merely turning up at the polling stations and voting. These parties are vertically operated. Party meetings often lack precise guidance and agendas tend to be constrained by hierarchical instructions.[7]

Importantly, parties that use brokerage bonds can attract voters by offering both clientelistic and programmatic policies that are tailored to different societal groups to broaden their support base, especially

with low-income voters. For example, the BJP has campaigned on student loans and marijuana legalization while the PPRP promoted improvements to welfare card schemes for the poor.

Programmatic Policy

Policy bonds occur when voters establish an allegiance to a particular party based on its policy promises. The PTP, for instance, has gained support by focusing on tangible policies such as affordable medical care and increased village funding.[8] Ahead of the 2023 general elections, it expanded its manifesto to include promises to raise the minimum daily wage, to distribute 10,000 baht (US$300) through digital wallets to all Thais aged 16 years and above, and to boost tourism income. While the PTP focused on economic rejuvenation, the MFP advocated progressive views such as military reform, the abolition of conglomerate monopolies and the repeal of Section 112 of the Criminal Code, which limits criticism of the monarchy. Based on the survey's results displayed above, the MFP was perceived as better reflecting voters' interests compared to the PTP, partly because the MFP has increasingly made Thai politics an ideological battleground.

To sustain programmatic bonds, parties must maintain reliable and clear political stances by which they can be recognized by the public and distinguished from their opponents. Policies are the main differentiating factor in how parties recruit and engage their members, and party structures play a critical role in developing popular policies and ensuring the parties remain committed to them. However, these bonds can be problematic as parties are expected to follow through with their policy pledges once in power. The PTP, for instance, lost some support as many voters were unsure about its commitment to democracy.[9] Party structures are vital for policy commitment. The PTP incorporated the Red Shirt movement for mobilization. However, if media-induced engagement is more effective, the influence of the Red Shirts may decline or be abandoned.

Media-Induced Engagement

Urbanization and increased mobility in Thailand have created new segments of society no longer receptive to traditional brokerage bonds. Meanwhile, social media has become a mainstream media platform, reaching 85 per cent of the population. On average, Thai

people spend around eight hours per day on social media.[10] This shift was a game changer at the 2023 general elections and was one of the primary reasons for the MFP's victory.

Social media incorporates voters into political life, providing avenues for participation and fostering allegiances. User-generated content, including party material and addictive TikTok videos, as well as "natural" canvassers (individuals who convince others to support their preferred parties), played a pivotal role in the 2023 polls.[11] Contentious content, such as the MFP's narrative of being an anti-establishment party fighting against corrupt elites, became crucial in amplifying distinct voter voices. However, the prominence of social media does not necessarily imply a clear ideological underpinning. The MFP, for instance, set itself apart by rejecting any form of alliance with pro-military parties while appealing to young voters with a long list of progressive policy pledges, including reforming lèse-majesté laws, liberalizing the alcohol industry and ending military conscription. It also emphasized legislative performance to reflect its focus on certain issues,[12] and cultivated relationships with various groups, including youth movements, the Lesbian, Gay, Bisexual and Transgender (LGBT) community and non-governmental organizations (NGOs).[13]

To effectively engage with public opinions through mass media channels, the MFP utilized specialists in campaign advertising and media relations. These teams were active throughout 2023, shaping social issues based on voter sentiments, advancing the party's achievements and criticizing other parties' shortcomings. Social media enabled the MFP to actively involve the masses in the political process beyond merely voting on election day. Despite having a centralized leadership structure, the MFP accommodated enthusiasts who wished to express their concerns,[14] trained candidates to address public demands and recruited like-minded activists.[15] The MFP's leader and prime ministerial candidate, Pita Limjaroenrat, appealed to supporters in a manner highly reminiscent of fandom, exemplifying personalistic links between himself and the masses through social media.[16]

Conclusion

Evolving voter-party bonds have impacted Thailand's political landscape. The importance of political brokerage is being challenged

by new methods of information consumption, which in turn are changing voter perspectives. The BJP and PPRP, reliant on political brokers, were perceived by many voters as traditional and unresponsive. The weakening of the PTP's policy linkage for some voters stems from the party's ambiguity on whether they would collaborate with military-aligned parties. Meanwhile, new policies from other parties gained prominence.

It is important to recognize that these different forms of voter-party bonds are not mutually exclusive. Indeed, political brokerage is a common feature of all political parties and in the age of social media proliferation, any party hoping to win an election must participate on these platforms. The novelty of media-induced engagement has substantial implications for Thailand's voter-party dynamics and democratic representation moving forward. By its nature, it is contingent and fluid. Social media platforms enable candidates to reach voters directly, soliciting their support in a personal manner. However, it relies on sensational storytelling and immediacy to capture people's attention at particular moments, rather than allowing time for deliberative participation in the democratic process. It also tends to emphasize a political opponent's flaws and mistakes, using rhetoric to draw a line between "good" and "evil"; us and them.

On the one hand, social media, with its interactive peer-to-peer structure, has the potential to amplify and broaden political engagement, providing individuals and groups with avenues of participation that bypass traditional political gatekeepers: the local power brokers and conventional media. On the other hand, it does not unequivocally have a positive impact on the democratic process. The nuanced nature of social media communication channels needs to be acknowledged as the evolving political landscape presents challenges and opportunities that require careful consideration.

NOTES

Acknowledgments: The research for this article was funded by Chulalongkorn University grant RCU_S_64_03_24.

[1] Author calculation based on the electoral results presented by the Election Commission of Thailand, https://ectreport66.ect.go.th/overview.

[2] Juan Pablo Luna, "Segmented Party–Voter Linkages: The Success of Chile's Independent Democratic Union and Uruguay's Broad Front", in *Challenges*

of Party-Building in Latin America, edited by Steven Levitsky, James Loxton, Brandon Van Dyck and Jorge I. Domínguez (Cambridge, UK: Cambridge University Press, 2016), pp. 100–130; Staffan Kumlin and Achim Goerres, *Election Campaigns and Welfare State Change: Democratic Linkage and Leadership Under Pressure* (Oxford, UK: Oxford Academic, 2022), pp. 21–37.

[3] See, for example, Kay Lawson, *Political Parties and Linkage: A Comparative Perspective* (New Haven, Connecticut: Yale University Press, 1980); Herbert Kitschelt, "Linkages between Citizens and Politicians in Democratic Polities", *Comparative Political Studies* 33, no. 6–7 (2000): 845–79; Susan C. Stokes, "Perverse Accountability: A Formal Model of Machine Politics with Evidence from Argentina", *American Political Science Review* 99, no. 3 (2005): 315–25.

[4] Viengrat Nethipo, "Dynamic of (In)Formal Power under Political Changes of the Thai State" (PhD dissertation, Kyoto University, 2023), p. 11.

[5] Apinya Wipatayotin, "Health Volunteers' Allowance to Double", *Bangkok Post*, 7 March 2023, https://www.bangkokpost.com/thailand/general/2522286/health-volunteers-allowance-to-double.

[6] The disparities in the BJP's and PPRP's constituency seat votes (5,133,44 and 4,186,441, respectively) and party-list votes (1,138,202 and 537,625, respectively) suggest that while their abilities to capture national votes were shaky, their local party machines were relatively strong.

[7] Author interview with Siripong Angkasakulkiat, a former parliamentarian for the BJP, Bangkok, 22 June 2023.

[8] The PTP—specifically its predecessor party, the Thai Rak Thai Party—was not Thailand's first party to campaign for such welfarist and social policies that benefitted voters. The Social Action Party sponsored similar village-based funding in the 1970s. See James Ockey, "Change and Continuity in the Thai Political Party System", *Asian Survey* 43 (2003): 663–80.

[9] Author interview with Theerarat Samrejvanich, a parliamentarian for the PTP, Bangkok, 23 June 2023.

[10] Suchit Leesanguansuk, "Social Media Plays Key Role in Election", *Bangkok Post*, 16 May 2023, https://www.bangkokpost.com/business/general/2571277.

[11] Stephanie Adair, "TikTok Sweeps Wave of Change over Thailand's Election Campaigns", *The Nation*, 29 May 2023, https://www.nationthailand.com/thailand/politics/40028083.

[12] Author interview with Sirikanya Tansakul, the MFP's deputy leader, Bangkok, 25 February 2023.

[13] Nattakant Akarapongpisak, "From 'Street' to 'Parliament': Why Thai NGOs and Activists Forming the Commoners' Party and Running as the Future Forward Party's Electoral Candidates", *Journal of Social Sciences Naresuan University* 18, no. 2 (2022): 73–106.

[14] A good example was when the MFP reversed its decision to include the Chart Pattana Kla Party (CPKP) in the coalition government after receiving criticism from its supporters via social media platforms because the CPKP was part of the pro-military government. The trending hashtag was #มีกรณ์ไม่มีกู ("if there

is Korn, there is no us"). See "Move Forward Reverses Decision to Include Chatpattanakla", *Bangkok Post*, 20 May 2023, https://www.bangkokpost.com/thailand/politics/2574657.

15 Author interview with Chaitawat Tulathon, the MFP's secretary-general, Bangkok, 20 February 2023.

16 A personalistic linkage as electoral vehicles for notable figures was evident in the United Thai Nation Party, which was established in 2021 to foster General Prayuth Chan-ocha's bid to remain in power.

Disrupting the Grip: Political Dynasties and Thailand's 2023 General Elections

VIENGRAT NETHIPO, NOPPON PHON-AMNUAI AND HATCHAKORN VONGSAYAN

The victory of the Move Forward Party (MFP) in Thailand at the May 2023 general elections, contrary to almost all pre-election polling predictions,[1] signalled a significant departure in Thai politics away from the traditional strategies of mobilizing voters. This shift occurred rapidly over one election cycle and is especially noteworthy because of the substantial influence that political networks, known as "*Ban yai*" (literally, big house), and provincial dynasties have wielded for decades, consistently securing victories in parliamentary and local elections within their respective provinces.[2] These dynasties also posed significant challenges to political newcomers unaffiliated with their established power structures.

Viengrat Nethipo is Associate Professor at the Faculty of Political Science, Chulalongkorn University. Postal address: Faculty of Political Science, Chulalongkorn University, Pathumwan, Bangkok 10330, Thailand; email: viengrat.n@chula.ac.th.

Noppon Phon-Amnuai is a PhD student at the Faculty of Political Science, Chulalongkorn University. Postal address: Faculty of Political Science, Ramkhamhaeng University, Bang Kapi, Bangkok 10240, Thailand; email: nphonamnuai@gmail.com.

Hatchakorn Vongsayan is a PhD candidate at the Faculty of Political Science, Chulalongkorn University. Postal address: 48/78, Sathorn 10, Bang Rak, Bangkok 10500, Thailand; email: hatchakorn@gmail.com.

However, in the 2023 elections, MFP candidates prevailed over rivals from these provincial dynasties in several constituencies. This article explores the strategies of those candidates. At the 2019 general elections, the Future Forward Party (FFP) won 50 party-list seats and 31 constituency seats.[3] After the party was dissolved in February 2020—for allegedly violating electoral laws on donations—its members, who were not disqualified, regrouped to form the MFP, becoming the most vocal of the opposition parties in parliament. Between 2020 and 2022, the MFP gained popularity, particularly among the younger generation, and aligned itself with anti-government movements and advocated for political reforms favoured by student activists. However, established political parties and provincial dynasties continued to dominate local elections nationwide. This trend was evident in the Provincial Administrative Organization elections in late 2020 and the municipal elections in 2021, in which the MFP performed poorly.[4] As such, the MFP's triumph in the 2023 elections was a remarkable upswing in its electoral fortunes within a relatively short timeframe. The party won 112 constituency seats and 39 party-list seats, while 104 of its elected members of parliament (MPs) were running for office for the first time. In several constituencies, MFP candidates unseated entrenched political dynasties. We argue that many of these candidates were successful because they paid attention to local policy issues and adopted new ways of using social media, particularly TikTok, allowing them to circumvent established political networks and appeal directly to voters.

Provincial Dynasties and Network Politics

Much of the existing literature on Thailand's political landscape highlights the pivotal role of provincial dynasties that rose to power through network-based relationships, often linked to patronage politics.[5] This practice, while evolving, remains predominant. Its origins can be traced back to the 1970s, when political parties were relatively weak[6] and the electorate lacked clearly separable identities, making it difficult for parties to mobilize voters based on policies, ideology or class. As a result, individual candidates were primarily responsible for creating the networks, relationships and patron-client connections necessary for mobilization.[7]

However, with the adoption of the 1997 Constitution and the rise of the Thai Rak Thai Party (TRT) in the early 2000s, Thai politics evolved into a party-centric system.[8] Parties became

dominant entities and voters aligned themselves with specific parties. This shift allowed parties and politicians to identify target groups, differentiate between core and swing voters and allocate resources more efficiently.[9] The TRT epitomized this trend.[10] Decentralization from 1999 onwards further solidified the connections between national parties, constituency MPs and local politicians.[11] However, parties continued to rely on local political networks for voter mobilization.[12]

Indeed, it was widely accepted that the success of constituency candidates hinged on their ability to establish strong ties with the local population, engage in local politics and build relationships with community leaders. Yet, many of the MFP's candidates diverged from these conventional practices in their campaigns ahead of the 2023 polls.

Disruptive Strategies

MFP candidates, most of whom were political newcomers, embraced a "disruption" campaign strategy, characterized by eschewing established political networks and refraining from creating new ones. Instead, they capitalized on unresolved local issues as focal points in their electoral campaigns. Notably, they also harnessed the power of social media to reach voters within and beyond established networks. This phenomenon is exemplified by the relatively unknown and inexperienced constituency-based MFP candidates who triumphed in areas of the country where well-defined provincial dynasties had been dominant. The provinces studied in this analysis are recognized for having provincial dynasties that have held parliamentary positions for multiple terms, control all levels of local government and primarily mobilize voters through candidate-centred strategies.

We conducted participatory observations during the election campaign and in-depth interviews with the candidates. To account for regional variations and development levels, we focused on provinces in the east of the country, specifically Prachin Buri, Samut Prakan and Rayong. These areas are characterized by traditional communities whose leaders and local political positions are closely tied to networks of provincial dynasties. However, these are also areas with industrial zones and growing populations, including labourers and middle-class residents who have relocated to the area. Many of these newcomers are not constrained by traditional community structures.

Prachin Buri Province, for instance, is known for its deeply entrenched political networks dominated by powerful dynasties,

both affiliated with the Bhumjaithai Party (BJP). The Wilawan family has long controlled the local Provincial Administrative Organization and Sunthorn Wilawan, the patriarch, was an MP for decades, a position now occupied by his nephew, Am-nart Wilawan. The other dynasty, the Pummakanjana family, rose to power in 1979 and is currently represented by the second-generation Chayut Pummakanjana, an MP in Prachin Buri Province from 2001 until 2023 when he was defeated by the MFP candidate Wuttiphong Thonglour (who secured 35,451 votes against Chayut's 31,194, out of a total of 110,472).[13] Wuttiphong, a former systems engineer who worked for a Japanese factory in his district, had no prior experience in politics.[14] In 2020, he joined the Progressive Movement—a group led by Thanathorn Juangroongruangkit, the leader of the now-dissolved FFP—to support a candidate in a local election. Despite being relatively unknown, Wuttiphong was nominated as the MFP's candidate for the 2023 polls because he engaged with local environmental issues, particularly air pollution.

Wuttiphong's journey to becoming an MFP candidate is similar to that of Sawangjit Laoharojanaphan, who competed in Rayong Province. After her defeat in the Provincial Administrative Organization election in 2020, she collaborated with civil society groups to address environmental issues stemming from the junta government's Eastern Economic Corridor development plan.[15] Similarly, Weerapat Kantha, an MFP candidate in Samut Prakan Province, joined the party in 2021 and was invited the same year to serve (in an unelected capacity) on the National Assembly's Committee for Natural and Public Disasters Prevention and Mitigation, thereby playing a role in resolving issues related to the explosion of an oil tanker in Samut Prakan Province. This enabled him to connect with affected communities outside of political networks.[16]

None of these candidates were linked to provincial political elites, and they addressed issues that primarily affected local groups. However, they regularly publicized their activities on social media, reaching voters within and outside their constituencies. Many also adopted unconventional approaches to voter mobilization. Instead of relying on community leaders or politically powerful figures to campaign alongside him, Wuttiphong assembled a team of around ten staff members who worked closely with him. While he used traditional campaign methods such as election posters and rallies, his events were often sparsely attended due to his lack of name recognition. Meanwhile, his campaign slogan, "Not a new generation,

but a worker", contrasted with the MFP's emphasis on attracting younger voters. His primary strategy was home visits, carefully planning the time and distance to maximize efficiency. He travelled using electric scooters to enable his team to move swiftly between homes and reach more residents. His daily routine included morning visits, afternoon social media content creation and evening house-to-house calls.[17]

Social Media Amplification: TikTok's Impact

At the beginning of his campaign, Wuttiphong primarily used Facebook, on which he had 12,000 followers, as a social media tool for publicity. However, he began using TikTok on 19 April. His TikTok following surged to 30,000 during the final stages of the campaign a few weeks later. TikTok distinguishes itself from other social media platforms by its focus on evoking shared emotions through concise and easily digestible content. This includes clips from memorable campaign events, custom lyrics to popular songs and informative short videos.[18] A viral video he posted just one week before the election garnered over a million views within a few days.[19] It showed Wuttiphong's emotional encounter with a young boy who had expressed a desire to meet him. When they finally met, they shared a hug, bringing both to tears, set to the tune of Bird Thongchai's classic song "With Love and Attachment". The millions of views of this TikTok video far exceeded the number of eligible voters in his constituency (136,167).

MFP candidates in Samut Prakan Province also effectively utilized TikTok to create content that surpassed the number of eligible voters in their respective constituencies. Although Sawangjit did not use TikTok, she acknowledged its importance during the final stages of the campaign and attributed her victory to the popularity of the MFP leader Pita Limjaroenrat, whose celebrity-like status became known as "Pita fever".

Because TikTok stands out for its ability to engage users of all age groups—including those using Facebook, Twitter and Instagram, as well as those not active on social media but who consume content on YouTube—it bridges generational divides and transcends traditional networks. Moreover, during the COVID-19 pandemic, the government implemented smartphone applications for economic relief and vaccination promotion, meaning that smartphone usage increased across all age groups, not just among the young.[20] TikTok,

known for its addictive nature, allowed politicians to engage with their audience in a unique and intimate manner, distinct from other social media platforms devoid of conventional networks.

By the end of the election campaign, TikTok had amassed 40 million users in Thailand. Nevertheless, only the MFP effectively harnessed the platform for voter mobilization, amassing 2.6 million followers and 37 million "likes" on its official account alone.[21] In contrast, the Pheu Thai Party (PTP), the political party with the second largest TikTok audience, had a mere 260,000 followers. The MFP's campaign videos featuring the "#*kaoklai*" (#MFP) hashtag garnered a staggering four billion views.[22] The MFP's campaign team and organic supporters recognized the platform's importance, consistently producing content. The use of TikTok for voter mobilization became a crucial factor contributing to the MFP's success. While TikTok alone did not secure the MFP's victory, it undoubtedly played a pivotal role in the campaign's final stages.

Conclusion

The MFP's victory in the 2023 general elections signifies the emergence of a "new politics". This goes beyond anti-junta sentiments—the MFP garnered more votes than the PTP—and represents a genuine shift in politics. We have observed that this new politics fundamentally differs from traditional network-based approaches to electoral mobilization. It relies on a strategy that eschews the traditional link between parties and local elites and instead leverages online media and local issues to mobilize voters. In this approach, short video clips distributed via platforms such as YouTube and TikTok have effectively intruded community networks and transcended generational and social divides. Where this new type of politics—underpinned by algorithm-driven social media—will lead and how it may evolve in the long term remains an intriguing question that we must continue to contemplate and study.

NOTES

Acknowledgements: The data used in this study was derived from a project funded by Thailand Science Research and Innovation Fund Chulalongkorn University (SOC66240005).

1 Thitinan Pongsudhirak, "Stakes and Meanings of the 2023 Poll", *Bangkok Post*, 17 March 2022, https://www.bangkokpost.com/opinion/opinion/2529909/stakes-

and-meanings-of-the-2023-poll?fbclid=IwAR0NucevcsOpXWJpZXiUixwODIqJaITuANWEHNRpGPszc_1lxsIqlmW30l4.

2 In this work, "*Ban yai*" members do not necessarily have to come from the same family, which is a different interpretation than Yoshinori Nishizaki's work that emphasizes the family. See Yoshinori Nishizaki, *Dynastic Democracy: Political Families of Thailand* (Madison, Winconsin: University of Wisconsin Press, 2022).

3 The Election Commission of Thailand, "Khor Mun Sathiti Karn Luek Tung Sa Ma Shik Sapa Phu Tann Rassadorn Por Sor 2562" [The Results of the 2019 Thai General Election] (Bangkok, Thailand: The Election Commission of Thailand, 2020).

4 In the 2020 Provincial Administrative Organization elections, the MFP, operating as the Progressive Movement, competed in 42 provinces but did not secure any victories. However, in the 2021 municipal elections, the Progressive Movement competed in 106 municipal mayoral races and won 15.

5 Stithorn Thananithichot, "Trakoon Kanmueang Kub Kanluektang: Monklang Ruekae Palang Tee Todtoi" [Political Dynasty and Election: Magical or Declining Power?], (Bangkok, Thailand: The King's Prachadhipok Institute, 2019); Thanapan Laiprakobsup, "Raingan Vijai Rueang Kanpattana Krabuankan Lae Krueangmue Kankumnod Nayobai Satarana Khong Pakkanmueangthai" [Development of Process and Tools for the Policy Formation Process of Thai Political Parties, Research Report for the King's Prachadhipok Institute] (Bangkok, Thailand: The King's Prachadhipok Institute, 2021), http://www.kpi.ac.th/public/knowledge/research/data/1199?page=1.

6 Allen Hicken and Erik Kuhonta, "Shadows from the Past: Party System Institutionalization in Asia", *Comparative Political Studies* 44, no. 5 (2011): 572–97.

7 Viengrat Nethipo, "Heeb Bad Kub Boonkun: Kanmueang Kanluektang Lae Kanpleangplang Kruekai Ubhatum" [Ballots and Gratitude: Electoral Politics and the Dynamics of Clientelistic Networks] (Chiang Mai, Thailand: Center for ASEAN Studies, Chiang Mai University, 2015).

8 Illan Nam and Viengrat Nethipo, "Building Programmatic Linkages in the Periphery: The Case of the TRT Party in Thailand", *Politics & Society* 50, no. 3 (2022): 413–54.

9 Susan Stokes, "Perverse Accountability: A Formal Model of Machine Politics with Evidence from Argentina", *American Political Science Review* 99, no. 3 (2005): 315–25.

10 Nam and Nethipo, "Building Programmatic Linkages".

11 Pitch Pongsawat and Chumphol Aunphattanslip, "Contemporary Political-Economic Machine in Thailand's Local Politics: Construction, Operation and Local Election in the 2020 Election of Samut Prakan Provincial Administrative Organization", *King Prajadhipok's Institute Journal* 20, no. 1 (2022): 105–40.

12 See cases and analysis in this work in Edward Aspinall, Meredith L. Weiss, Allen Hicken and Paul D. Hutchcroft, *Mobilizing for Elections: Patronage and Political Machines in Southeast Asia* (Cambridge, UK: Cambridge University Press, 2022).

[13] Wutthiphong was expelled from the MFP as of 3 November 2023.

[14] Authors' interview with Wuttiphong Thonglour, an MFP parliamentarian for Prachin Buri Province, Prachin Buri, 5–6 May 2023.

[15] Authors' interview with Sawangjit Laoharojanaphan, an MFP parliamentarian for Rayong Province, Rayong, 13 August 2023.

[16] Authors' interview with Weerapat Kantha, an MFP parliamentarian for Samut Prakan Province, Bangkok, 27 July 2023.

[17] Authors' interview with Phanida Mongkolsawat, an MFP parliamentarian for Samut Prakan Province, Samut Prakan, 11 August 2023.

[18] On TikTok's unique appeal, see A.J Kumar, "How TikTok Changed the Social Media Game", *Entrepreneur*, 16 August 2022, https://www.entrepreneur.com/science-technology/how-tiktoks-unique-algorithm-changed-the-social-media/431804.

[19] See Wuttiphong Thonglour (@wuttiphong.jae), "Jae Kaokrai Buejed" [Jae MFP Number 7], https://www.tiktok.com/@wuttiphong.jae/video/7228096764056767749?_r=1&_t=8fhQPOD4Zxx.

[20] "Prathet Thai Nai Pi 2565 Khon Thai Mi Computers Lae Smart Phones Chai Kan Keuap Thang Prathet" [In the Year 2022 in Thailand, Almost Everyone in the Country Has Computers and Smartphones], *Marketeer Online*, 9 June 2022, https://marketeeronline.co/archives/266656?fbclid=IwAR3C0NjovG-dUDSBEAcqpxqPn3i7t_9_f1Pm1YN6pbayjOZ1xKmgqgGCpok.

[21] See @mfp.official, "Videos", TikTok, 2023, https://www.tiktok.com/@mfp.official.

[22] Khajochi's Blog, "Korani Seuksa: Phak Kao-Klai King of TikTok" [Case Study: Move Forward Party 'King of TikTok'], *Rainmaker*, https://www.rainmaker.in.th/case-study-moving-forward-party-king-of-tiktok-thailand-election/.

Assembling Electoral Intimacy: Political Affects and Affection in Thailand's 2023 General Elections

JAKKRIT SANGKHAMANEE

One of the most common sayings in Thailand during an election season is "Choose the candidate for whom you feel affectionate; nominate the party you feel is right" (เลือกคนที่รัก เลือกพรรคที่ใช่). Thai elections are heavily influenced by emotion yet "affect" and "affection" have been only marginally studied in the existing literature.[1] Drawing on field data collected during and after Thailand's general elections in 2023, this article argues that sociocultural affection and material affect, as visible during campaigning, were important factors in determining voters' decisions. Affection and affect are encouraged through candidates' banners, songs and pamphlets; through political parties' campaign narratives, kinship and clientelist networks; and through canvasser mobilization strategies, money distribution and discursive information on digital media. The 2023 general elections were a transformative example of the changing forms and fashions of electoral intimacy. Indeed, a new type of intimacy has emerged through digital media and is gradually replacing the spatially situated relations on which local clientelist and dynastic political influences relied.

JAKKRIT SANGKHAMANEE is Associate Professor in the Department of Sociology and Anthropology, Chulalongkorn University. Postal address: Faculty of Political Science, Chulalongkorn University, Henri-Dunant Road, Phatumwan, Bangkok 10330, Thailand; email: jakkrit.sa@chula.ac.th.

The author closely observed two political campaign events: one by the Move Forward Party (MFP) at Samyan Mitrtown, a trendy shopping mall located in the heart of Bangkok; and the other by the Pheu Thai Party (PTP) at a local school in a rural district of Ubon Ratchathani Province, in the northeast of the country. Additionally, I analysed roadside campaign banners, pamphlets distributed in local communities by vote canvassers and other campaign rally material.

There have been very few, if any, studies on political intimacy in Thailand. Nonetheless, I will demonstrate that the 2023 polls show how this intimacy is changing in the country and how historically important clientelist connections are gradually giving way to a new intimacy, which is associated with social media platforms and an atmosphere of hope for political change, both of which are a departure from the old style of clientelist and dynastic politics.

Intimacy in Political Election: A Brief Review

Political intimacy, especially between the electorate and politicians, has largely been investigated within the field of political emotion studies. George E. Marcus, for instance, has explored the significance of emotion in politics, particularly as it relates to political leaders' personalities and as an explanation for how the public evaluates those leaders.[2] He argues that emotion plays a substantial role in politics because it enables a rapid assessment of the current situation and the encoding of past events in an evaluative context.

Building on this work, I argue that intimacy goes beyond proximity; it also includes values or viewpoints that are dear to voters' hearts. It has a certain level of intensity and desirability. In this regard, intimacy includes, but is not limited to, clientelist and dynastic relationships. Intimacy extends beyond human relationships in politics; it also refers to close relationships with material inducements (money or material goods, for instance) and non-material factors such as the feeling of belonging, language and acknowledgement. Therefore, emotion encompasses both the feelings of affection for a person and the effect of being stimulated by your environment, including both human and non-human elements.

According to Isabel Airas, these intimate relationships form "hotspots" where "the affective atmospheres of political movement often originate, and where they tend to be most intense".[3] For instance, in her study of the "Corbyn phenomenon" in the United

Kingdom, a reference to the groundswell of support for the former leader of the Labour Party, Jeremy Corbyn, Airas argued that these hotspots played a significant role in galvanizing support for Corbyn by generating hope, optimism and excitement.

Similarly, Sam Page analysed the 2015 general elections in the United Kingdom by investigating the connections, associations and physical elements of the Labour Party's local campaigns. He argued that the elections were imbued with different intensities and understanding, and that a political party should be conceptualized as an "assemblage that are always-becoming multiplicities created through relations between the components".[4] In this sense, a political party is never static. Instead, it is a dynamic operation and through the production of affection and affect, intimacy is formed between the party and voters.

Assembling Intimacy

On a sunny afternoon in early May 2023, a large school football field in a rural district in Ubon Ratchathani Province was filled with almost 1,000 people, mostly farmers who came to support a PTP campaign rally. The hundreds of pick-up trucks parked on the lawn or streets nearby suggested that many attendees had travelled from other districts. They wore the party's red-coloured T-shirts. Banners, flags and posters burnishing the image of the party's prime ministerial candidate, Paetongtarn Shinawatra, were eagerly held aloft by the crowd. On the large stage, local candidates, party representatives and vote canvassers sat in front of a huge backdrop displaying photos of the party's candidates and the slogan "Choose Pheu Thai, Landside, Thailand will change immediately" (เลือกเพื่อไทยแลนด์สไลด์ ประเทศไทยเปลี่ยนทันที). Held just six days before the 2023 general elections, it was likely the last PTP rally in the province.

Sutin Klangsang, the deputy party leader, was speaking to the amassed supporters in the local dialect, reminding them of how good life was during the prime ministership of Thaksin Shinawatra (2001–6), the founder of the political movement associated with the PTP and its predecessor parties. Sutin emphasized that the party needed to win by a landslide to install Paetongtarn, Thaksin's daughter, as prime minister. In contrast to other parties' widespread use of vote buying, the speaker highlighted the party's campaign policy to give away a million cows and a 10,000-baht digital wallet to each

citizen if it won the elections.[5] Another important party official, Chaturon Chaisang, then tediously elaborated on the PTP's main policy platform. The final speaker, Nattawut Saikua, then-director of Pheu Thai Family,[6] gave a humorous speech about how the election process had been highly competitive but with dubious actions by the electoral authorities, necessitating the party's success on the ground. Before leaving the stage, he exclaimed that everyone needed to vote for the party's local candidate, Chuwit Kui Phithakphallop, who stood grinning, basking in the support offered to him by the party's leaders, local canvassers and influencers.

As we travelled from the campaign event back to the city of Ubon, we passed hundreds of roadside banners displaying images of the candidates and their affiliated parties, election card numbers and main policies. Such information seems to be prevalent in all elections across the world. Nevertheless, they were tailored to showcase the candidates' close association with a significant entity. For instance, Kui, the PTP candidate, included the image of Paetongtarn next to his own on his banners. However, on the banner for a candidate for the Bhumjaithai Party (BJP), in a constituency where the party was unpopular, the party's logo was made (presumably) intentionally small. By contrast, in a constituency where there were rumours that BJP had spent a lot of money on vote-buying, banners prominently displayed the image of the party's leader, Anutin Charnvirakul, along with an oversized party logo. On banners, some candidates included photos of parents or relatives who were already politicians, highlighting their dynastic legitimacy. If there was nothing easily at hand to relate to, some candidates simply displayed a large icon of their ballot number, seemingly in the hope that people would just remember it.

The atmosphere at the PTP rally in Ubon Ratchathani Province was very different to an MFP campaign event in Bangkok two weeks earlier. The stage was a small, floating, orange-coloured circle on which speakers could stand or sit. A temporary backdrop read "Change Thailand, straightforwardly" (เปลี่ยนประเทศไทย อย่างตรงไปตรงมา). The event was indeed straightforward, with each party-list candidate taking turns to speak about the party's policies in front of an audience mostly in their twenties and thirties. Such policies ranged from legislation on e-sport and labour market regulations to reforms to education and mass transit. As night fell, the party's popular leader, Pita Limjaroenrat, ascended onto the stage to idol-like screams, and hundreds of phones were raised in the air to record and photograph the exact moment.

Overall, when I attended political campaign events in Ubon and Bangkok, I felt—and presumably so too did other spectators—a feeling of effervescence: the standing in a large crowd of like-minded people; the waving of flags and mobile phone lights; the sounds of admiring screams, vivacious songs and joyful laughter. In other words, we became what George Marcus called a "sentimental citizen",[7] through which political intimacy was expressed and confirmed.

These brief accounts of the material and non-material arrangements in political rallies, campaigning activities and material suggest more than just staged performances and the enactment of symbolic acts. On a deeper level, they represented the proximity of intimacy, where various political figures and parties attempted to assemble unique actors, networks, material symbols, rhetoric and atmospheres to draw supporters close into their political arena. This phenomenon is part of an ongoing symbiotic relationship between political candidates' aspirations to win an election and the expectation of the electorate to affect politics. I contend that, alongside other factors, political intimacy played a significant role in influencing the outcome of the 2023 general elections.

Electoral Affect and Affection: Material-Semiotics of Political Campaigns

What constitutes political intimacy? Besides the campaign events already mentioned, I followed a walking rally of various candidates and vote canvassers to local markets and communities, in which one could observe several moments that represented the production, enactment and confirmation of intimacy.

When the candidates visited markets in the city of Ubon, it was clear that they did not know everyone there. In fact, they likely knew almost no one at all. However, a smiling greeting, a tight handshake, an intimate embrace—these were common during the walking rallies and an obvious example of intimacy. Indeed, these were common expressions of the candidates' supporters who accompanied them. These supporters included influential local leaders, well-known village health volunteers, successful businesspeople and even a famous singer of the traditional northeastern *mor lam* style. They engaged in conversations with voters about their lives before presenting a pamphlet introducing their respective candidates. This is a form of clientelist intimacy, and to be effective it requires a locally situated network of sociocultural connections.

The pamphlets they handed out presented personal information about the candidates, including their educational backgrounds and family ties, as well as dedications about the candidate's close relationships with local events and organizations. However, more appealing were the policies proposed by the parties and the candidates. A closer look at the pamphlets revealed that not all policies were mentioned—only those that might be persuasive in linking and affirming the party's national policies with local needs and desires. This signifies policy intimacy. Whether it was Sutin mentioning digital wallets and a million cows at a campaign event, or candidates seeking personal and policy connections with constituents at the market, intimacy was front and centre.

What about the rumour that the BJP's leader Anutin had engaged in vote-buying? Even this is another instance of intimacy. Money given to voters is not merely a "bribe" devoid of any sociocultural significance. Instead, it is an "affirmation", signifying that politicians, canvassers or candidates acknowledge the recipient's existence, especially when considering that election campaigning only lasted for a short period of time. Indeed, it is an act of political recognition.[8]

From Family to Fandom: A Wind of Change?

After witnessing the campaign events and rallies in Ubon Ratchathani Province, one might have forecast an electoral victory by the PTP or BJP because of their strong, intimate ties with local constituencies. But this did not happen; the MFP won the largest share of the vote. While the PTP's digital wallet policy was appealing, the party lost because of a newer form of political intimacy that was made possible by online platform sharing among youths, those who most likely attended the MFP's event at Samyan Mitrtown.

In recent decades, Thai politics has been influenced by family-oriented political networks that were highly dependent on locally arranged intimacy and past acts of reciprocity.[9] In conjunction with vote-buying and populist policies, these familial ties in the political arena proved effective in elections. However, this is now changing. With the emergence of a new form of political intimacy, resembling that of pop star fans, intimacy now lies in the hope and expectation of future change, made possible by the virtual community of digital-savvy politicians.

In recent years, digital platforms have created a new kind of affect and affection in Thai politics. It was an important part of

anti-government protests of 2020 and 2021, which Aim Sinpeng referred to as "hashtag activism".[10] Social media platforms have brought people together in both the virtual and physical worlds. As youths share news about politics and their peers' experiences with protest or political violence, they are able (and encouraged) to become not only informed and active citizens but also sentimental citizens. Through sharing their hopes and plights, they have grown closer as a movement. The MFP's victory in the 2023 general elections was the result of such digital intimacy built primarily by youths and maintained across online and offline platforms.[11]

While familial and "fandom" forms of intimacy coexisted during the campaigns for the 2023 elections, they did so in distinctive geographical and virtual spaces. However, the new form of intimacy between young voters and candidates, each with their own set of hopes and plights, is gradually developing and replacing the old form of clientelist and dynastic relationships that sustained Thai politics for several decades. Additionally, the "fandom" craze around Pita, the MFP leader, and other politicians, who are viewed as idols, has gone viral on social media. Of course, to a certain extent, the old clientelist system still performs its function. But the wind of change has begun to blow. This new intimacy will be dynamic, with political parties, politicians and constituencies constantly engaged in the process of becoming intimate.

NOTES

1 "Affect" relates to a person's emotional state or how their emotions are expressed. I use the term "affect" to refer to ways material things can bring emotions to a person, while "affection" is about the feeling of love, warmth or fondness one has for someone or something.

2 George E. Marcus, "Emotion in Politics", *Annual Review of Political Science* 3 (2000): 221–50.

3 Isabel Airas, "Hotspot: The Affective Politics of Hope in the 'Corbyn Phenomenon'", *Area* 51 (2019): 443–50.

4 Sam Page, "'A Machine Masquerading as a Movement': The 2015 UK General Election Labour Campaign Investigated through Assemblage and Affect", *Political Geography* 70 (2019): 92–101. See also Sam Page and Jason Dittmer, "Assembling Political Parties", *Geography Compass* 9, no. 5 (2015): 251–61.

5 One of the PTP's 25 policies is to distribute 10,000 baht (around US$275) to every Thai aged 16 or older in the form of a digital currency, from a budget of 560 billion baht (around US$15.4 billion), within six months of the new government taking office. Another was to distribute one million cows to farmers to use in rice farming.

[6] Those who support the party but are not yet ready to apply to become members can join the Pheu Thai family. It differs from party membership in that there are fewer restrictions on participant eligibility, such as having no age limit or an application fee.

[7] George E. Macus, *The Sentimental Citizen: Emotion in Democratic Politics* (University Park, Pennsylvania: Pennsylvania State University Press, 2002), p. 133.

[8] Jakkrit Sangkhamanee, "Democracy of the Desired: Everyday Politics and Political Aspiration of Contemporary Thai Countryside", *Asian Democracy Review* 2 (2013): 5–37.

[9] Yoshinori Nishizaki, *Dynastic Democracy: Political Families in Thailand* (Madison, Wisconsin: University of Wisconsin Press, 2022), pp. 3–29.

[10] Aim Sinpeng, "Hashtag Activism: Social Media and the #FreeYouth Protests in Thailand", *Critical Asian Studies* 53, no. 2 (2021): 192–205.

[11] Kanokrat Lertchoosakul, "The May 2023 Elections and the Triumph of Thai Youth Social Movements", *Critical Asian Studies Commentary Board*, 30 May 2023, https://criticalasianstudies.org/commentary/2023/5/29/commentary-kanokrat-lertchoosakul-the-may-2023-elections-and-the-triumph-of-thai-youth-social-movements.

Articulation Weapons: How The Move Forward Party Won Thailand's 2023 General Elections

AKANIT HORATANAKUN

The victory of the Move Forward Party (MFP) in Thailand's 2023 general elections—after winning 14.2 million votes and 151 of the 500 seats in the House of Representatives—came as a surprise to most political analysts who had expected the Pheu Thai Party (PTP) to win the majority of seats. The MFP's proposal to amend the lèse-majesté law was highly controversial, another reason for the surprise after its victory. However, it was unable to form a government after months of post-election negotiations because of constitutional changes made in 2016 by a military-led government that were designed to de-institutionalize party systems.

What were the reasons for the MFP's electoral triumph? According to many scholars and journalists, the party's impressive performance can be attributed to its savvy use of social media.[1] It earned a reputation for leveraging these platforms to effectively mobilize volunteers and voters.[2] TikTok, in particular, proved to be crucial in connecting the party with voters in urban and rural areas, even in provinces previously considered inaccessible.[3] But it alone is not a sufficient explanation for the MFP's shock victory. Without

AKANIT HORATANAKUN is a PhD candidate in the Department of Political Science, McGill University. Postal address: Leacock Building, 4th Floor, 855 Sherbrooke Street West, Montreal, Quebec, H3A 2T7, Canada; email: akanit.horatanakun@mail.mcgill.ca.

the support of political organizations and ideological foundations, social media cannot mobilize voters.

Instead, the MFP's success can be traced back to the organizational achievements of another youth-focused political party, the Future Forward Party (FFP), which finished in third place in the 2019 general elections but was forcibly dissolved the following year. As this article explains, the MFP is not just the de facto successor to the FFP, it is also its ideological and operational offspring. Moreover, because it was formed under a repressive political atmosphere created by the military-run government, the MFP did not have sufficient time to build what Philip Selznick described as "organizational weapons", meaning strong organizational structures and ideological foundations.[4] Instead, it had to rely on the articulation weapons already established by the FFP for electoral mobilization. This article defines political "articulation" as "the process by which political parties or social movements suture together coherent blocs and cleavages from a disparate set of constituencies and individuals".[5] In extraordinary times, parties and movements can take centre stage in democratization processes by mobilizing differing groups of citizens around a new idea of social division. This article argues that the FFP and then the MFP articulated a specific political division—"the establishment" versus "the rest"—that created a partisan bloc of supporters which sought to reshape the Thai state and society.

Cleavages and Articulation

How do political groups mobilize cleavages to facilitate/advance democratization? Ever since the publication of Seymour Martin Lipset and Stein Rokkan's seminal work in 1967, political scientists have frequently portrayed political parties as the mirrors of societal cleavages, such as between classes or religions.[6] According to this traditional school of thought, once these divisions become institutionalized within a country's party system, they become the parameters for which political issues gain traction.

The FFP's historical origins can be traced back to one political crossroads in Thailand's recent history. The party's co-founders were leaders and members of the Student Federation of Thailand who joined a coalition of social movements that mobilized for the promulgation of the "People's Constitution" in 1997, which

was drafted after extensive public consultation. At the time, the FFP's founders were students of the "political economy" school, which was rooted in leftist intellectuals and social movements in Isan, a regional hotbed of anti-military politics in the northeast of Thailand. Many Isan-based political activists held the belief that the region's villages grappled with politico-economic structures beyond their control. They argued that addressing these issues required political struggles and mobilization that extended beyond the confines of the village. These political economists fervently advocated for "structural change" and opposed the royalist ideology of "communitarian culture", particularly the royalist's sufficiency economy approach that was prevalent among popular intellectuals and activists of the time. They asserted that villagers must gain bargaining power by establishing political organizations with broad mass support.[7] One of the party's co-founders, Chaithawat Tulathon, initiated this intellectual resistance by establishing a publishing house, Same Sky Books, that challenged ideas of communitarian culture and royalist ideologies. Activists associated with Same Sky Books supported many of the era's progressive social and political campaigns, including against constitutional referendums in 2006 and 2016 by military-run governments, as well as support for Red Shirt demonstrations and the anti-junta student movement in 2014.[8] These political campaigns laid the groundwork for what would eventually form the FFP's ideological and mobilizational resources.

Another of the FFP's ideological pillars was Gramscianism,[9] which was championed by the legal scholar and the party's first secretary general, Piyabutr Saengkanokkul. He integrated the Gramscian approach into the party's foundational strategies and campaign tactics. Influenced by Ernesto Laclau and Chantal Mouffe, and sensing Thai society's fatigue after a decade of Yellow Shirt versus Red Shirt street protests as well as repression by military-run governments, Piyabutr saw the potential of a political party as a vehicle for establishing "a new hegemony". He also believed there was an opportunity to form a new political party following the breakdown in 2016 of the "Bhumibol Consensus", a reference to the former king who passed away that year.[10] According to Piyabutr,

> The Bhumibol Consensus was gone. It disappeared while a new one hasn't yet emerged … The old perception of the monarchy institution was gone ... We are still searching for something that can be a shared consensus and that can become the collective

> hegemony of society, but we haven't found it. However, in such times, it becomes an opportunity to determine what the new hegemony should be.[11]

After a failed campaign against the military-run government's referendum on a new constitution in August 2016, the party's co-founders travelled to Isan and other northern regions to reconnect with the "political economy" and Red Shirt movement networks. Out of these interactions emerged the idea of creating a new progressive party, and structural change became the cornerstone of the party's articulation strategy.[12]

The new party's mission would be to create a "chain of equivalence" from a set of disparate political demands and isolated blocs of supporters, and then articulate new political divisions against the military-royalist clique that dominated political power. This strategy gave rise to new political cleavages in Thailand—"pro-coup" versus "anti-coup" or the "1 per cent" versus "the 99 per cent"—that transcended previous ideological divisions that were determined by shirt colours.[13] The party subsequently became a melting pot of supporters of various democratic hues, from those who opposed military coups for political reasons to those who advocated for more radical and progressive social change, such as royal and military reforms, welfare state reforms or marriage equality. The party then sought to "articulate" these disparate voices and demands into a new partisan bloc, mobilizing voters and politicizing them so that they would participate in party politics.

With two branches of Marxism forming its ideological background, the FFP saw itself as a mass-based ideological party, seeking to incorporate a broad cohort of citizens into its activities.[14] Even though it was formed less than a year before the 2019 general elections, with a fledgling organizational structure and rushed party recruitment, the FFP secured third place at the polls with 81 seats. This outcome came as a surprise to the establishment.

On 21 February 2020, the Constitutional Court banned the FFP after ruling that it had broken election laws by taking a loan from its founder, Thanathorn Juangroongruangkit, who was suspended from parliament. The party's remaining 55 lawmakers quickly joined a small party that had previously held no seats in parliament and was rebranded in March 2020 as the Move Forward Party. However, the FFP's ban triggered internal upheavals. During the transition period from FFP to MFP, the party director had to allocate a

significant portion of the secretariat's resources to relocating all of the party infrastructure from the old to the new party platform, as required by Thai electoral law. This hurdle caused all the party branches and networks to temporarily halt their formal operations during the transition phase. It also compelled the party, which had limited resources, to shift its focus more towards activities within parliament rather than those on the ground. This transition led to a shift in the party's model, pushing it towards a more electoralist programmatic approach.[15]

The Articulation Weapons

With a mission to engage and politicize citizens *en masse*, the FFP and MFP employed its multifaceted platforms—its parliamentary caucus, its party secretariat and its grassroots base—for the purpose of articulation. It did so by three main mechanisms: parliamentary operations, political education and electoral mobilization.

Parliamentary Operations

In parliamentary proceedings, particularly during debates and committee sessions, the FFP strategically utilized these platforms as pivotal spaces of articulation. Its parliamentarians emphasized progressive economic, social and political issues, touching on subjects such as reforming the military and the monarchy. Their goal was not only to elevate the salience of these issues but also to change public perceptions of them, fostering a more detailed and structural perspective on how these issues impacted the electorate.

One of the party's primary ambitions was to transform the character of Thai parliamentary dialogues by reframing how lawmakers spoke about local issues in their constituencies and relating these localized concerns with broader, more national campaigns for structural change.[16] For instance, Rangsiman Rome, an activist who became an FFP parliamentarian in 2019 and then the MFP's deputy secretary-general, sought to foster closer ties between political parties, social movements and society at large using his parliamentary position. Drawing from his experience debating subjects such as corruption and patronage links between the monarchy and the military, he used televised debates and social media. In an interview with the author, Rome spoke of the cascading effect of this work. As the public grew increasingly aware

of corruption within the police and military, they made increasing demands for systemic reforms.[17]

The FFP also harnessed the power of parliamentary debates and various committees, notably the Committee on Law, Justice and Human Rights, to introduce and elevate progressive initiatives inside the House of Representatives. The party tabled draft bills such as the Prevention and Suppression of Torture and Enforced Disappearance Bill and the Marriage Equality Bill. One trailblazing move by the Committee on Law, Justice and Human Rights was the decision to publicly broadcast all their meetings, thereby enhancing the committee's transparency and accountability.[18]

Political Education

Because the FFP/MFP followed the mass party model, it established an extra-parliamentary unit, known as the "Common School", to shape ideology. It was tasked with providing political education to voters across various mediums, such as reading groups, party libraries and video lectures, as well as camping trips and workshops for politically engaged youths. The primary focus was the younger generation, which constituted the party's main voter base. Its founding members envisioned cultivating these young individuals into future political pioneers who would enter various businesses, social groups and organizations to instigate a democratic shift from within.[19]

One of the Common School's flagship initiatives was its youth camps.[20] These gave politically active youths from different provinces a venue to meet, form connections and engage in party-sponsored political education. The crux of this education revolved around connecting localized problems to broader structural ones. It also challenged state-driven ideologies, such as conventional notions of nationalism and "Thai-ness". It introduced an alternative understanding of Thai political history and regional dynamics, all the while advocating democratic tenets such as gender equality, decentralization, rule of law and human rights. These camps also offered young participants an opportunity to connect with party leaders and staff, and to understand the inner workings of the party structure. As a result, many attendees became party activists. After the FFP's ban by the Constitutional Court in 2020, many emerged as prominent youth movement leaders in their home provinces and played a major role in mobilizing the nationwide street protests that took place in 2020 and 2021. These youth protesters voiced three

demands that aimed to fundamentally reshape Thailand's political structure: the resignation of General Prayut Chan-ocha as prime minister; constitutional amendments; and reforms to the monarchy.[21] In doing so, they became prominent articulators of the new political cleavage: "the establishment" versus "the rest".

Electoral Mobilization

As movement-based parties formed under the repressive atmosphere created by the military-run government, the FFP/MFP constantly navigated existential threats, such as judicial harassment or an outright ban (as would befall the FFP in 2020). It also meant that state resources and access to traditional media were off-limits, so the FFP/MFP relied heavily on cost-effective social media strategies for campaigning and voter mobilization.[22]

In the run-up to the 2023 general elections, the MFP's media team focused on shaping voter ideologies and creating and maintaining new voting blocs. They targeted an eclectic mix of voter bases, including Red Shirt and Yellow Shirt supporters. The latter, who might have accepted the 2014 coup, by now opposed the military-run government that they had helped put into power. With the slogan, "Have Uncles, Don't Have Us" (*Mee Lung, Mai Mee Rao*),[23] they delineated a clear divide between those who sided with the "establishment" and those who did not. The media team also recognized the power of televised debates and TikTok as more direct and widespread platforms for party activities. They crafted simple campaigns tailored for local micro-influencers, amplifying the party's reach and message.[24] These targeted yet highly relatable campaigns enabled the MFP to harness and dominate the TikTok algorithm, reaching voters across a broad spectrum of social strata.

Conclusion

This article delved into the origins of FFP/MFP and the "articulation" strategies it used for electoral mobilization. The party sutured different demands and blocs of supporters by articulating the new political cleavage: "the establishment" versus "the rest". This was achieved through the party's parliamentary operations, political school and electoral mobilization, all of which endowed the party's social media campaigns, especially on TikTok, with a potent ideological underpinning. While social media was crucial in bolstering support during the election season, the party's consistent

efforts to articulate political divisions and consolidate disparate voter blocs were paramount to the MFP's electoral success, which was all the more surprising given its fledgling party structure and because it was operating under intense repression from a military-run government. However, the longevity of these articulation strategies remains uncertain due to the party's organizational vulnerabilities and resistance from the "establishment" it campaigned against.

NOTES

1 For example, see Nethipo, Vonsayan and Phon-amnuai; and Sawasdee in this Roundtable.

2 Anyarat Chattharakul, "Social Media: Hashtag #Futurista", *Contemporary Southeast Asia* 41, no. 2 (2019): 170–75.

3 See Jatusripitak, Hicken and Lohatepanont in this Roundtable.

4 Philip Selznick, *Leadership in Administration: A Sociological Interpretation* (New York City, New York: Harper & Row, 1957).

5 See the original definition in Cedric De Leon, Manali Desai and Cihan Tuğal, *Building Blocs: How Parties Organize Society* (Stanford, California: Stanford University Press, 2015), p. 2.

6 Seymour Martin Lipset and Stein Rokkan, *Party Systems and Voter Alignments: Cross-National Perspectives* (New York City, New York: Free Press, 1967).

7 Somchai Phatharathananunth, *Civil Society and Democratization: Social Movements in Northeast Thailand* (Copenhagen, Denmark: NIAS, 2006), pp. 65–66.

8 Author interview with Chaithawat Tulathon, Bangkok, 20 September 2021.

9 Gramscianism refers to the political and social theories of Antonio Gramsci which emphasize the role of culture, ideology and power in shaping society. Gramsci introduced the concept of hegemony, which refers to the dominance of one social group over others using ideas, beliefs and values rather than just coercive force. See James Martin, "Antonio Gramsci", in *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta and Uri Nodelman (Stanford, California: Stanford University, Press, 2023).

10 Kasian Tejapira, "The Irony of Democratization and the Decline of Royal Hegemony in Thailand", *Southeast Asian Studies* 5, no. 2 (2016): 219–37.

11 Author interview with Piyabutr Saengkanokkul, Bangkok, 10 September 2021.

12 Author interview with Chaithawat, Bangkok, 20 September 2021.

13 Author interview with Piyabutr, Bangkok, 10 September 2021.

14 Author interview with Chaithawat, Bangkok, 20 September 2021; author interview with Piyabutr, Bangkok, 10 September 2021.

15 Author interview with Sarayoot Jailak, Bangkok, 2 September 2021.

16 Author interview with Piyabutr, Bangkok, 10 September 2021.

[17] Author interviews with Rangsiman Rome, Bangkok, 11 and 13 June 2021.

[18] Author interview with Pannika Wanich, Bangkok, 3 March 2022; author interview with Piyabutr, Bangkok, 10 September 2021; author interviews with Rangsiman, Bangkok, 11 and 13 June 2021.

[19] Author interview with Somchai Rakdee, Bangkok, 21 November 2021.

[20] See, for example, the *Awaken Land* camps, https://www.youtube.com/watch?v=gWir_OznBP8.

[21] Kanokrat Lertchoosakul, "The May 2023 Elections and the Triumph of Thai Youth Social Movements", *Critical Asian Studies*, 29 May 2023, https://criticalasianstudies.org/commentary/2023/5/29/commentary-kanokrat-lertchoosakul-the-may-2023-elections-and-the-triumph-of-thai-youth-social-movements.

[22] Author interview with Pannika, Bangkok, 3 March 2022.

[23] The term "uncles" refers to General Prayut Chan-ocha and General Prawit Wongsuwon. The slogan signified that the MFP would not align itself with the military-aligned parties, the United Thai Nation Party and Palang Pracharat Party.

[24] For instance, see this YouTube video, https://www.youtube.com/watch?v=jY0EislI2PA.

Becoming a Multi-Colour Region: Northeast Thailand and the 2023 General Elections

SUTHIKARN MEECHAN

The unexpected victory of the Move Forward Party (MFP) at Thailand's general elections in May 2023 was a clear demonstration of the electorate's discontent with the military-backed government that came to power through a coup in 2014. It was also an indication of the declining popularity of the Pheu Thai Party (PTP), which trailed behind the MFP in second place despite most pre-election opinion polls forecasting a massive majority for the party.[1] No region demonstrated the PTP's waning fortunes more than Isan, in the northeast of the country. It has been a party stronghold and a bastion for the Red Shirt movement for decades, and although the PTP party still took the largest share (54.8 per cent) of constituency votes at the 2023 polls, it was markedly down from the 72 per cent of votes it received at the 2019 general elections. The PTP is now the second largest party in parliament and the main entity in the governing coalition—and Thailand's new prime minister, Srettha Thavisin, is from the PTP—but the failure of the party's self-proclaimed "Pheu Thai Landslide" campaign raises questions about its political momentum in the coming years.[2]

SUTHIKARN MEECHAN is Assistant Professor at Mahasarakham University, Thailand. Postal address: Kantharawichai District, Maha Sarakham 44150, Thailand; email: suthikarn.m@msu.ac.th.

The Northeast's Electoral Landscape

Isan is composed of 20 provinces which, combined, have the largest number of constituency seats of any region of Thailand—it accounted for 133 of the 400 seats up for grabs at the 2023 general elections. Winning in the Northeast region, therefore, is a prerequisite to becoming the largest party in parliament and leading the talks over the formation of the next government. Before the 2014 military coup, Isan was predominantly identified with the "red" side of the country's colour-coded political divide, a split between the Red Shirts—who opposed the military coups of 2006 and 2014 and the subsequent military governments—and the Yellow Shirts—those associated with the monarchy, military, judiciary and bureaucracy.[3] The Red Shirts were allied to political parties associated with Thaksin Shinawatra, a billionaire turned politician who became prime minister in 2001 as the head of the Thai Rak Thai Party (TRT). Thaksin was ousted by a military coup in 2006 and his party was dissolved, although it went on to form de-facto successor parties, including the PTP (led by Thaksin's daughter, Paetongtarn Shinawatra). The majority of the votes against the military-backed referenda on constitutional changes in 2007 and 2016 were cast in Isan.[4]

The number of constituency seats in Isan increased from 116 to 133 in the 2023 general elections. Voters were asked to return two ballots: one for a constituency member of parliament (MP) and another for the party-list. The constituency-seat option gives voters a more straightforward choice when picking candidates based on their qualifications and perceived commitment to their constituencies, while the party-list ballot provides voters with the opportunity to articulate their support for the political party they favour. Nonetheless, it has been the case in Thai politics for some time that candidates with a powerful, personal base of support are likely to have an advantage regardless of which party they are affiliated with.

As a result, there was intense competition during the PTP's candidate selection process in several provinces, including Khon Kaen, Kalasin and Roi Et,[5] and most candidates continued to prioritize their own constituency-seat campaigns rather than generating support for their parties for the party-list ballots.[6]

In Isan, although the PTP dominated the party-list votes, its performance in the constituency-seat count was weaker in 2023 than in previous general elections. It won 73 of the 133 constituency seats up for grabs in 2023 (see Table 1), compared to 84 out of

Table 1
2023 Elections Results in Isan

	Constituency Seats	Party-list Votes
Pheu Thai	73	5,113,609
Bhumjaithai	35	485,840
Move Forward	8	3,935,834
Palang Pracharath	7	122,545
Thai Sang Thai	5	174,525
Pheu Thai Ruam Palang	2	36,349
Democrat	2	105,377
Chart Thai Pattana	1	21,459
Other Parties	0	1,869,517
Total	**133**	**11,865,055**

Table 2
Electoral Outcomes for Constituency Seats in Isan (2005–23)

Political Parties	**2005**	**2011**	**2019**	**2023**
Pheu Thai (The party succeeded the Thai Rak Thai Party, which was dissolved in 2007, and the People's Power Party, which was dissolved in 2008.)	126	104	84	73
Bhumjaithai		13	16	35
Move Forward (The successor party of the Future Forward Party, which was dissolved in 2020.)			1	8
Palang Pracharath			11	7
Democrat	2	4	2	2
Mahachon (The party ceased in 2020.)	2	0	0	
Chat Thai Pattana (The successor party of the Chat Thai Party, which was dissolved in 2008.)	6	1	1	1
Chat Pattana (Chart Pattana Puea Pandin simplified its party name in 2011.)	0	4	1	0
Thai Sang Thai				5
Pheu Thai Ruam Palang				2

116 constituency seats at the 2019 general elections (see Table 2). In 2005, its predecessor, the TRT, won all but 10 of the available 136 seats. Although it saw a notable increase in the number of seats obtained in Nakhon Ratchasima, one of Isan's four main cities, it failed to win all of the constituency seats in Amnat Charoen and Mukdahan. Notably, it won all seats in just one province (Nong Bua Lam Phu). At the same time, the MFP gained a substantial number of votes and increased its representation in Nakhon Ratchasima, Khon Kaen and Mukdahan provinces, solidifying its position as the second largest party by party-list votes in the region.[7] "Red" Isan, known for its strong support of Thaksin-associated parties such as the PTP, has become more politically open with the presence of multiple political parties and diverse influences that impact voters' choices.

Securing "Red" Isan

The results of the 2023 general elections demonstrated that the PTP could not deliver on its "landslide" victory promise nor sustain its regional support base. Three main reasons account for this: it lacked opportunities to maintain local networks and electoral machines due to being out of power for an extended period, as well as being the target of the post-coup security apparatus; it faced resistance from some political families whose loyalty to the PTP was questionable; and because there was a greater emphasis on ideology among new and first-time voters in 2023, many gravitated towards the more ideological and outspoken MFP and were perhaps put off by the PTP's more conventional, economic-focused policies.

Local networks

Effective local networks are vital when the popularity of a party and loyalty to it are insufficient to elect a candidate.[8] Because most Thai political parties do not maintain active party branches in all parts of the country, they rely on local constituency parliamentarians and prospective candidates for much of the campaigning and party-related groundwork. As a result, prospective candidates depend on the support of the heads of local patronage networks, government agencies and politicians, who can either endorse or rebuff candidates.

Because the PTP and its candidates have been excluded from holding governmental positions since the 2014 coup, it proved difficult for them to sustain these relationships, particularly with local officials and governmental agencies. PTP candidates rely on

financial support from either the party or their own resources, but the party's loss of influence over budget allocations—a result of being in opposition—meant its candidates had more limited resources to recruit and pay political operatives who serve as vote canvassers and cultivate local connections.

By contrast, lawmakers and candidates affiliated with pro-government parties, such as the Bhumjaithai Party (BJP), used their access to power to acquire resources from key ministerial offices responsible for rural areas, such as public health and transportation. This, in turn, facilitated the development of new political networks while also carefully cultivating existing alliances.[9] The military junta and the Palang Pracharath Party (PPRP) have implemented their own social welfare schemes to enhance their popularity and diminish the public's memory of the welfarist policies and social development achievements of Thaksin's government.[10] In addition, various actors, including senators and military officials, exerted influence at the local level to mobilize votes for pro-junta parties, specifically for the United Thai Nation Party and the PPRP. These actors actively engaged with local networks and campaigned for some constituency candidates, as well as for certain parties in a bid to increase their party-list votes.[11]

Political Families

In certain areas of Isan, the PTP's candidates were unable to compete with local strongmen who were once associated with Thaksin and his political movement. Newin Chidchob, for instance, is a political icon in Buriram Province, a stronghold for the BJP, and was a cabinet minister in Thaksin's government. In 2023, he supported his son, Chaichanok Chidchob, to become a parliamentarian for the first time. Newin also supported BJP candidates in several neighbouring provinces, including Maha Sarakham and Khon Kaen.[12] Another example is Anurak Jureemas, a lawmaker for the Chart Thai Pattana Party and a former member of Thaksin's cabinet, who has significant influence over the Roi Et city municipality, over which his family has extensive control. He campaigns for and supports large-scale infrastructure projects aligned with his party and serves on the House of Representatives' budget committee, enhancing his ability to support public services for his constituents and his political allies.[13]

Consequently, PTP candidates, particularly those who were new to their constituencies and lacked a substantial support base,

encountered challenges when campaigning in areas where influential political dynasties and their formidable patronage networks continued to exert dominance.

Ideological Opponents

The two-ballot system increased competition between the informally allied anti-junta parties, such as the PTP, MFP and the Thai Sang Thai Party (TST), the latter of which was founded in 2021 by former PTP politicians. Compared to the PTP, the MFP is more progressive and appeals to younger voters, in both urban and rural areas, who are swayed by appeals to social equity and more democratic governance. Additionally, younger voters perhaps do not remember the accomplishments of the PTP when its predecessor parties were in government—during the premierships of Thaksin (2001–6) and his sister Yingluck Shinawatra (2011–14)—and are disconnected from the party's historical significance because of the period of military rule since 2014. Some 27 of the PTP's lawmakers from Isan who were elected to parliament at the 2019 general elections lost their seats at the 2023 ballots. Interestingly, three of these former PTP parliamentarians—from Udon Thani, Khon Kaen and Mukdahan provinces—lost their seats to MFP candidates running for office for the first time.

The PTP's declining fortunes also reflect the weakening of bonds between the party and grassroots Red Shirt activists. In part, this was because the party decided to select some of its candidates from rival political parties or former opponents of the Red Shirt movement.[14] Moreover, the TST, a splinter party from the PTP, was an alternative for Red Shirt activists frustrated with the PTP's current policies and structure, and at the 2023 general elections, it was the strongest party in several provinces, including Udon Thani, Yasothorn, Ubon Ratchathani and Roi Et. The Pheu Thai Ruam Palang (PTRP), a small, newly formed party dominated by local tycoons, won two seats in Ubon Ratchathani, a major city in Isan.

Conclusion

Since the 2014 military coup, the electoral landscape in Isan has changed: there has been an increase in the number of political parties and a diversification of political narratives, as well as more complexity in competition between the parties and the "Red" movement's influence over them. Political parties are becoming de-

institutionalized in the region, which is shifting towards a new, more diverse political landscape of a multitude of parties with diverse voices and competitive dynamics. The coup created particular difficulties for the PTP. It was increasingly under pressure to compete with pro-junta parties, particularly the BJP, on the traditional campaign methods of patronage, vote buying and paying vote canvassers. At the same time, it faced stiffer challenges from other anti-junta parties, especially the MFP, which were increasingly capturing the attention of young and ideological voters.

Despite widespread discontent over nine years of a military government, the PTP failed to capitalize on this in Isan at the 2023 general elections. Although it was the most popular party in the region, the PTP came second nationwide to the MFP. However, the progressive party was unable to form a coalition government after failing to secure the necessary backing of military-appointed senators. Instead, the PTP formed a coalition government with several military-backed parties, raising further concerns about the party's popularity in the future, especially among the Red Shirt base in Isan. Additionally, the PTP will likely face significant difficulties in implementing its policy agenda as part of a coalition government supported by parties that are opposed to its agenda. Disputes between the party's lawmakers and its grassroots activists are inevitable.

NOTES

This article was presented at the 25th NZASIA International Conference held in Christchurch, New Zealand between 29 November and 1 December 2023 and was supported by the Mahasarakham University Development Fund.

1 "First Nation Poll Survey Finds Pheu Thai Ahead, but Still Short of a Landslide Victory", *The Nation*, 18 April 2023, https://www.nationthailand.com/thailand/politics/40026755.

2 The "Pheu Thai Landslide" campaign was launched in 2022 for the re-election of Chief Provincial Administrative Organizations in the provinces of Kalasin and Roi Et in Isan. This campaign then became a significant strategy to enhance the leading role of Paetongtarn Shinawatra as the head of the "Pheu Thai Family", an organizational umbrella aimed at reuniting former party leaders and the Red Shirt grassroots communities, and to consolidate the party's voter base as it aimed to win 310 out of 400 seats up for grabs at the 2023 general elections. Such a landslide victory was deemed necessary to overcome the challenge of the Senate, which consists of 250 delegates appointed by the military, and which would also vote to appoint the prime minister after the elections.

[3] Naruemon Thabchumpon, "Contending Political Networks: A Study of the 'Yellow Shirts' and 'Red Shirts' in Thailand's Politics", *Southeast Asian Studies* 5, no. 1 (2016): 93–113.

[4] See Saowanee T. Alexander, "Isan: Double Trouble", *Contemporary Southeast Asia* 41, no. 2 (2019): 183–89.

[5] Author interviews with parliamentary candidates from the PTP, Kalasin, 23 January 2023, and Mahasakham, 22 April 2023.

[6] Author group discussion with local politicians, Roi Et, 26 January 2023; author interview with a PTP parliamentary candidate, Roi Et, 13 May 2023.

[7] "ผลเลือกตั้ง 2566" [Election 2023], *Thairath Online*, 26 May 2023, https://www.thairath.co.th/election66/compare.

[8] Suthikarn Meechan, "Power and Local Networks in Northeast Thailand after the 2006 Military Coup" (PhD dissertation, University of Canterbury, 2023), pp. 261–77.

[9] Author interview with a BJP parliamentarian, Buriram, 27 January 2023.

[10] See Prajak Kongkirati and Veerayooth Kanchoochat, "The Prayuth Regime: Embedded Military and Hierarchical Capitalism in Thailand", *TRaNS: Trans-Regional and -National Studies of Southeast Asia* 6, no. 2 (2018): 279–305.

[11] Author fieldnotes, Roi Et, 17 May 2023.

[12] Author interview with local politician, Mahasarakham, 22 April 2023.

[13] Author group discussion with a parliamentarian and local politicians, Roi Et, 20 April 2023.

[14] Author group discussion with a PTP parliamentary candidate and PTP campaign managers, Kalasin, 23 January 2023.

The Unexpected Defeat of an Electoral Champion: The Pheu Thai Party in Thailand's 2023 General Elections

KRITDIKORN WONGSWANGPANICH

The results of Thailand's 2023 general elections came as a shock. The Pheu Thai Party (PTP), which had won the five previous ballots, came second to a relative newcomer, the Move Forward Party (MFP). As soon as the polls closed, local and international media was saturated with articles that tried to make sense of the defeat,[1] while condemnations of the party's campaign were penned by high-profile PTP members or associates, such as Noppadon Pattama,[2] a former foreign minister, and Thaksin Shinawatra,[3] a former prime minister and the founder of the movement from which the PTP hails. Yet, there has been little academic or systematic analysis of what caused the PTP's failure to deliver on its promise of a landslide victory. This article seeks to address this gap by providing structural reasons behind its loss, focusing on the way the junta-drafted 2017 Constitution imposed an inorganic structure on the PTP and how this impacted the party's electoral campaign in 2023.

KRITDIKORN WONGSWANGPANICH is a Researcher at the Science Technology and Innovation Policy Institution, King Mongkut's University of Technology. Postal address: 110/1 KX Building, Floor 16, Krungthonburi Road, Banglampulang Khongsan, Bangkok, 10800, Thailand; email: kritdikorn.w@gmail.com.

Inorganic Structure: Mechanism, Money and Manual

This article uses the term "inorganic structure" to refer to the intentionally designed political and legal structures which influenced the PTP's electoral campaign and popularity, and which gave it a competitive disadvantage. Electoral politics in Thailand are perennially subject to the shifting influences of the political and legal structures, particularly when the rules of the game, such as the constitution, are changed. This article focuses on three main elements of the inorganic structure: mechanism, money and manual.[4]

Mechanism

"Mechanism" refers to the political and legal structures that stemmed from the 2017 Constitution, which was written by the military government that had seized power in a coup three years earlier. The 2017 Constitution established new rules of the game for the 2023 elections.[5] According to Viengrat Nethipo, the redrafted Constitution restored the old system of dynastic politics.[6] Indeed, it marked what could be called a "dynastic" or "charismatic" turn in Thai politics, in contrast to the argument made by Yoshinori Nishizaki in 2022 that dynastic politics and political families are static regardless of structural changes.[7] Two general elections have now been held since the promulgation of the 2017 Constitution, and the PTP has suffered a decline in the number of seats in both ballots: from 265 seats in the 2011 general elections to just 136 in 2019, and 141 seats in 2023.[8]

When considering the political and legal structures created by the 2017 Constitution, most people would probably point to the new ballot system as having had the biggest impact. For the 2023 polls, the system was changed from a one-ballot system (as used in the 2019 general elections) to a two-ballot system, in which voters cast two choices—one for constituency and one for party list MPs.[9] The two-ballot system had been used since 2001, but for the 2019 elections a mixed single vote, which apportioned constituency and party-list parliamentarians, was used. In 2019, although the PTP was the largest party in terms of overall seats, it received no party-list seats since its constituency seats exceeded its parliamentary quota. As a result, its representation in parliament between 2019 and 2023 consisted solely of constituency members of parliamentary (MPs). In contrast, the newly formed Future Forward Party (FFP), which later

became the MFP, benefitted greatly from this system since it had been the runner-up in many constituencies in the 2019 elections, thereby securing much of the party-list quota within this system—it won 31 constituency seats but 50 party-list seats—and became one of the three largest parties.

Party-list MPs are typically leaders of political parties or their most experienced lawmakers, and the PTP is no exception. However, because such politicians were on the PTP's party list—and the PTP won none of these seats—few of its "parliament magnets"[10] entered the House of Representatives in 2019. As a result, the party found itself without seasoned politicians and the intellectual firepower which would have been necessary to robustly oppose the government of Prime Minister Prayut Chan-ocha in parliament, especially when compared to the MFP, whose more experienced politicians were elected via the party list. This also impacted the public's perception of the PTP's activities during this period, thereby weakening its image. During the peak of the 2023 election campaign, the author interviewed several PTP voters as well as former supporters who had switched allegiance to the MFP—many of whom were in the Northeast region of the country, a PTP stronghold—because they thought that the MFP's lawmakers had performed better than the PTP's representatives in parliament in previous years.[11]

According to high-ranking PTP parliamentarians[12], the party's lack of experienced party-list lawmakers in parliament also resulted in deeper fragmentation within the PTP. Many of its elected MPs—all from constituency seats—often came into conflict with unelected party bosses over party policy. This was also the case when debates turned to who would be the party's candidate for the 2023 elections since the constituency and party list quota remained the same, yet older party bosses and newly recognized national level members also wanted to compete. In October 2021,[13] the splinter Pheu Thai Ruam Palang Party (PTRP) was formed after several candidates, many with years of experience in their local areas, sought to run for the PTP ticket but were rejected due to a limited number of slots. For instance, the Wangsuppakijkosol family, a PTP political dynasty in Nakorn Ratchasrima Province, funded the rejected candidates under the new PTRP banner, one of whom defeated a long-standing PTP constituency lawmaker, Chuvit Pitakpornpanlop, in the 2023 elections.[14]

Because of the lack of any PTP party-list candidates in parliament after 2019, its constituency lawmakers all had to become jack-of-

all-trades. As well as their constituency work, they also had to engage in the sort of national political work—such as critiquing government policy, debating bills in parliament and responding to national emergencies—that is ordinarily performed by party-list parliamentarians. Most of them were new to this role and were ultimately outperformed by the MFP's parliamentarians. It also reduced the time available to them to maintain their popularity within their constituencies. For instance, one reason for Chuvit's defeat by a PTRP newcomer was because his constituents felt he had spent less time in his constituency between 2019 and 2023 compared to before the 2019 elections.[15] Somkid Chuekong, another popular and experienced PTP lawmaker from Ubon Ratchathani Province, was also forced to play a more national political role and faced the same fate as Chuvit, losing to a newcomer from the PTRP.

The return of the two-ballot system in the 2023 elections, initially believed to be advantageous for the PTP, was a double-edged sword. While the party's most experienced MPs struggled to maintain their popularity within their constituencies—partly because of the time they had to spend engaged in more national political issues after 2019—their political rivals had ample time and resources to build up their own appeal. Moreover, voters' ability to split their ballots between a local MP (on the constituency list) and the national party (on the party list) dealt a catastrophic blow to the PTP as many voters who might have been expected to vote for it on both ballots instead voted in the constituency ballot for rivals who had the time to visit their local areas more frequently after 2019. Although the PPT remained very popular in the 2023 elections, it lost its long-established advantage in the constituency ballot.

Money

Whereas supporters of the MFP mainly backed the party because of its ideology, many of the PTP's supporters expected material benefits.[16] But the PTP faced a more challenging environment in the 2023 elections than in previous polls because most of the government-linked parties, such as the Bhumjaithai Party (BJP), were also playing the money game—some even more extensively than the PTP. According to several PTP constituency candidates, the Election Commission scrutinized the financial activity of opposition

parties more closely than the coalition parties allied with Prayut's government.[17] The PTP's campaign budget was also smaller than its competitors.[18] Moreover, because the two-ballot system allowed voters to split their ballots—one for the party that paid the most money and the other for the voter's favourite party—the PTP's rivals could pick up seats by outspending it. Despite running against one of the PTP's most popular candidates in Ubon Ratchathani Province, the PTRP's candidate was victorious, almost entirely due to the extensive use of money. The PTRP, for instance, spent between US$54 and US$81 on each potential voter in the 2023 elections, compared to the US$15–27 that parties typically spent in previous polls.[19]

Manual

The PTP was too attached to the campaign strategies and practices it had developed over previous decades. Given that this "manual" had propelled the PTP and its predecessor parties to victory in the previous five general elections, its reluctance to deviate from the script was somewhat understandable. However, the numerous structural changes imposed on the political landscape by the 2017 Constitution rendered this manual inadequate in 2023, while the significant reduction in the number of PTP lawmakers after the 2019 general elections—from 265 to 136—should have served as a sign that its strategies needed updating. Yet, this reality was obscured by the use of the one-ballot system in 2019 and the dissolution of the Thai Raksa Chart Party (TRC), a sister party to the PTP, ahead of that year's polls. Because the one-ballot system compelled the PTP to split its resources and personnel between itself and the TRC, when the latter was unjustly dissolved just months before the 2019 elections, it weakened the party's overall efforts.[20] Moreover, the dissolution of the TRC masked the decline of the PTP's electoral manual. After all, the PTP blamed the reduced number of seats it won in 2019 on the TRC's dissolution rather than on its outdated tactics and strategies. Driven by the firm but mistaken belief in its manual, the PTP failed to learn from its past mistakes and wholeheartedly supported the change to the two-ballot system for the 2023 general elections.

What some leaders in the PTP seemingly failed to realize was that the party's past electoral successes, mainly in the 2007 and 2011 elections, had been a direct result of the popular economic policies enacted by governments associated with the PTP—the governments

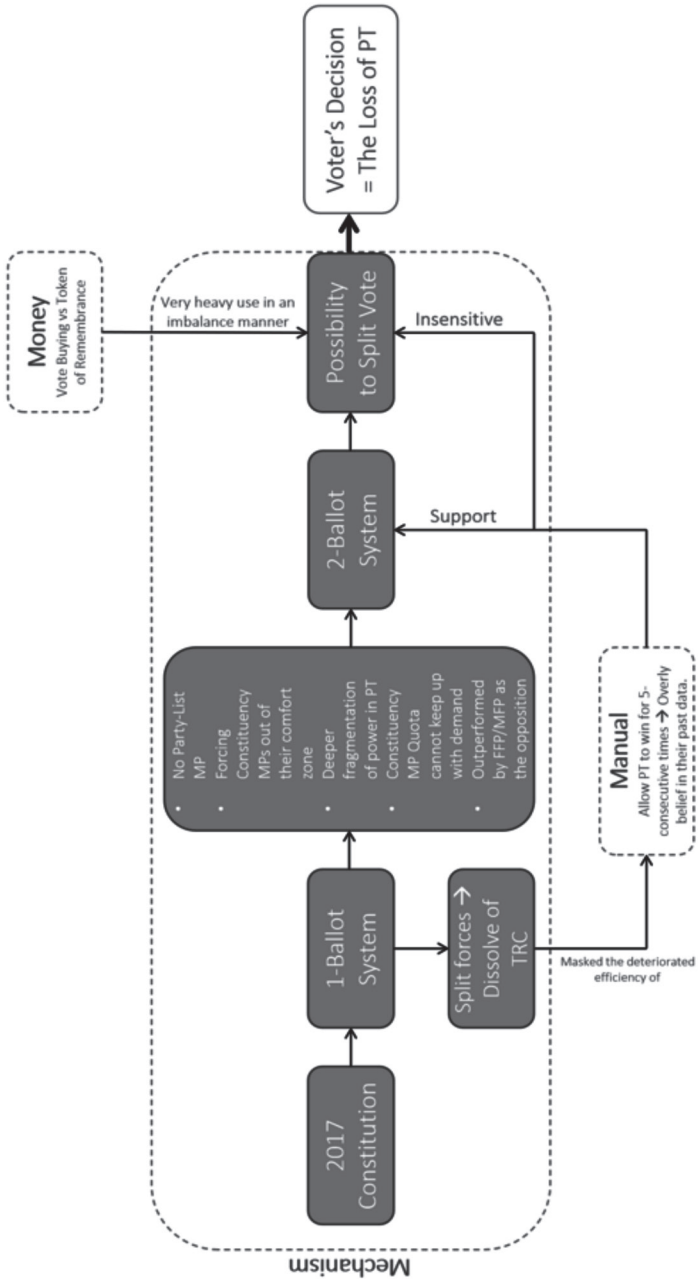
of Thaksin Shinawatra (2001–6) and Yingluck Shinawatra (2011–14). However, people's memory fade over time. According to Jack Bailey, who conducted research on social memories of economic policy during elections, the electorate's attachment to the past economic success of a particular party usually lasts for about one and a half years.[21] Bailey argues that it has almost no impact, in terms of future voting patterns, after five years. As such, the nine years that the PTP spent out of office after the 2014 military coup was seemingly enough to dim the electorate's memories of its previous accomplishments.

The PTP is renowned for its systematic use of opinion polling. Usually, party constituency candidates depend on regional coordinators—usually experienced MPs—who monopolize the polling data and rarely share the results with lower-ranking party members. But this strategy is ill-equipped to handle sudden swings in voter sentiment. Trusting its own manual, the PTP presumably felt secure heading into the 2023 general elections as the clear frontrunner, with internal party polling giving it a significant lead (as much as 15 per cent) in every province except Ubon Ratchathani. Unfortunately, for the PTP, many of these pollsters failed to comprehend the surge in popularity of the MFP. Simply put, overconfidence in its manual meant that the PTP became far too unaware of changes to its own popularity and to the broader political structure.

Conclusion

This article has detailed how the inorganic structure of Thai politics—specifically, mechanisms, money and manual (see Figure 1)—put the PTP at a disadvantage going into the 2023 general elections. The 2017 Constitution fundamentally reduced the number of seats available to the PTP, particularly from the party-list ballot, which changed the composition of the party in parliament and forced its constituency MPs to split their time between attending to national concerns and their constituents. As an opposition party, the PTP was also starved of access to government resources which could have been used to cultivate and maintain support for the party. Without those resources, the PTP found itself competing in a money game against parties that were equally or better resourced—in other words, parties that could spend more than the PTP per vote. Finally, the standard operating procedures and strategies—its "manual"—which had led the party to victory in every election since 2001, no longer

Figure 1
Inorganic Structure and the PTP in the 2023 General Elections



suited the electoral environment in 2023. However, party leaders were slow to adapt their strategies to the new electoral dynamics, in particular the threat from the MFP. As a result, the PTP found itself in the unfamiliar position of coming in second place in a free and fair election.

NOTES

1 "Luektang Hok-Hok Mee Lai Hed-Padjai Tee Tam Hai Puetai Pai Mai Tueng Duang Dao" [Many Factors in 2023 Election That Made Phue Thai Defeated], *Komchadluek*, 15 May 2023, https://www.komchadluek.net/news/politics/549018; "Jood Orn Puetai-Kaoklai Yoo Tee Wara Tang Karnmuang" [Pheu Thai and Moving Forward Parties' Weakness Lie in Hidden Political Agenda], *Bangkokbiznews*, 25 February 2023, https://www.bangkokbiznews.com/blogs/politics/1055015; "Prakodtrakarn Kaoklai Tornado Haeng Kwam Pleanplang" [Moving Forward Phenomenon: A Tornado of Change], *The101World*, 18 May 2023, https://www.the101.world/victory-of-move-forward/; "Kui Kab Nakwichakarn Jor Puen Tee Chiang Mai Muang Luang Puetai Took Kaoklai Tee Tak" [Interviewing with Scholar; Focusing on Chiang Mai, When This Capital of Phue Thai Had Fallen to Moving Forward Party], *Matichon*, 18 May 2023, https://www.matichon.co.th/politics/news_3985992.

2 "Noppadon Saroob Boat Rian Puetai Pae Luektang Lan Triam Plik Chome Pak" [Noppadol Reviewed Phue Thai Reasons of Electoral Defeat; Promised to Transform the Party], *Matichon*, 25 June 2023, https://www.posttoday.com/politics/696301.

3 "Election 2023: Thaksin Analyzed Why Phue Thai Defeated to Moving Forward Party", *BBC*, 17 May 2023, https://www.bbc.com/thai/articles/cyey13wjn80o.

4 There were other factors that influenced the PTP's defeat. In future work, I intend to explore the interaction of eight factors—mechanism, money, mind, manual, monarchy, mobility, material and media—that contributed to its electoral loss.

5 "Panha Rattatammanoon Song-Ha-Hok-Soon Tee Mai Pen Kod Mai Soong Sood Eek Tor Pai Rai Chantamati Lae Lod Amnaj Prachachon" [2017 Constitutional Problems: The Supreme Law That Is No Longer Supreme, Dissensus, and Decrease People's Power], *iLaw*, 8 October 2019, https://ilaw.or.th/node/5415.

6 Viengrat Nethipo, "*Uppatham Khamkhrai: Lueaktangthai kab Prachathippatai Kaothoilang*" [Who Does Clientelism Support? Thai Elections and Backward Democracy] (Bangkok, Thailand: Matichon Press, 2022).

7 Yoshinori Nishizaki, *Dynastic Democracy: Political Families in Thailand* (Madison, Wisconsin: The University of Wisconsin Press, 2022).

8 In this article, the PTP's victories in general elections are referenced as also including the victories of its predecessor parties, the Thai Rak Thai Party and People's Power Party.

[9] For more information on the ballot system for the 2023 general elections, see endnote 1 in Allen Hicken and Napon Jatusripitak, "Introduction: Making Sense of Thailand's Seismic Election", of this Roundtable.

[10] A term used by MPs to refer to party leaders and experienced politicians. Those who failed to win seats in the 2019 general elections include, for example, Sudarat Keyurapan, Chaikasem Nitisiri, Poomtam Vejjayachai, Chalerm Yoobamrung, Pokin Polakul, Kittirat Na Ranong and Noppadol Pattama.

[11] Author interview with potential PTP and ex-PTP voters, Ubon Ratchathani, Amnat Charoen and Sri Saket provinces, 8–16 May 2023.

[12] Author interview with Kriang Kaltinan and Chuvit Pitakponpalop, Ubon Ratchathani, 9–11 May 2023.

[13] This is the date that the PTRP was established but the party was active after its committee met on 15 May 2022.

[14] "Luektang Song-Ha-Hok-Hok: Baan Yai Pue Tai Korat Prakard Ard Mee Song Kaoyi Rattamontri" [2023 Election: Pheu Thai's Nakornratchasrima Boss' Family Claimed the Possibility for a Quota of Two Cabinet Seats], *Thairath*, 18 May 2023, https://www.thairath.co.th/news/local/northeast/2694947.

[15] Author interview with potential PTP and ex-PTP voters, Ubon Ratchathani, 8–16 May 2023.

[16] Kritdikorn Wongswangpanich, "Sick Kingdom: The Role and Politics of Thai Healthcare in the Domination of Bhumibol's Narrative" (PhD dissertation, University of Kyoto, 2022).

[17] Author interview with Kriang Kantinan, Chuvit Pitakpornpalop and Rattakit Paleerat, Ubon Ratchathani, 8–16 May 2023.

[18] Author interview with Rattakit Paleerat, Ubon Ratchathani, 10–11 May 2023.

[19] Author fieldwork and interviews with voters between 2019 and 2023.

[20] The TRC had invited the royal princess to be its prime ministerial candidate, followed all the required legal conditions and even received authorization by the Election Commission of Thailand. However, the party was dissolved by the Constitutional Court, which did not provide any reasonable justification.

[21] Jack Bailey, "What's the Half-Life of the Economic Vote? (About a Year and a Half)", *APSA Preprints* (2021).

Power without the Polls: Thai-Style Authoritarian Fragility amid the Defeat of Military-Backed Parties

PRAJAK KONGKIRATI

The 2023 general elections in Thailand exposed the vulnerabilities and instability of the military-run, authoritarian regime that had controlled the country since a coup in 2014. The two pro-military parties—the United Thai Nation Party (UTN) and Palang Pracharat Party (PPRP)—failed to secure the support of the Thai electorate. Combined, they won just 76 seats. Three key factors explain their electoral setback: the legacy of past military coups; ineffective and inflexible electoral mobilization efforts; and internal conflicts among anti-democratic elites. Nonetheless, the post-election road to democracy has been impeded by mechanisms embedded in the 2017 Constitution that was rewritten by the military government after the coup. Notably, the authority of military-appointed senators in choosing the prime minister and the co-optation of a major opposition party by royal-military elites have proven significant hindrances to democratic transition.

Prajak Kongkirati is Associate Professor in the Faculty of Political Science, Thammasat University. Postal address: 2 Prachan Road, Phra Barom Maha Ratchawang, Phra Nakhon, Bangkok 10200, Thailand; email: prajakk@yahoo.com.

A Tale of Two Defeated Military-Allied Parties

Two pro-military parties competed in the 2023 general elections: the PPRP, led by General Prawit Wongsuwan, an influential former army commander who served as first deputy prime minister (2014–23) and defence minister (2014–19); and the UTN, led by outgoing Prime Minister General Prayut Chan-ocha, the instigator of the 2014 coup. Both parties had disappointing results due to lacklustre campaigns and a failure to engage voters effectively. The PPRP came in fourth position with only 40 seats while the UTN won just 36 seats. Ahead of the 2019 general elections, the two military leaders had united to form the PPRP. It employed traditional political tactics such as co-opting provincial power brokers and using patronage networks, while also attracting former parliamentarians from other parties and enlisting the support of influential figures in local politics. While falling short of its 150-seat target, the PPRP emerged as the party with the largest share of the popular vote and the second-largest holder of seats (115) in parliament. This emphasized the significance of patronage politics and state intervention in Thai elections. The PPRP's success can also be attributed to its ideological position and the appeal of Prayut as a resolutely conservative leader.

Ahead of the 2023 polls, however, Prawit and Prayut's ambitions to lead the government created a rift between the two generals and conflict among their supporters. After assisting Prayut during his nine years as prime minister, Prawit, who holds seniority in age and rank, aspired to take the helm himself. Because of this, Prayut and his backers split from the PPRP and formed the UTN, using Prayut's royalist image to court conservative voters. Prayut, like many in the military, is steeped in the notion that generals are supposed to be defenders of the monarchy. Some PPRP members and politicians from other parties defected to the UTN. However, due to Prayut's waning popularity, stemming from his prolonged tenure as prime minister and his government's lacklustre handling of the economy, the UTN struggled to attract first-rate politicians.[1] Meanwhile, the PPRP remained under the control of Prawit's faction and relied heavily on the same strategies that contributed to its relatively successful performance in the 2019 elections.

The division between Prawit and Prayut had significant repercussions for their respective parties. Essentially, they found themselves in competition for votes from the same pool of conservative

constituents, a pool that had been shrinking over time due to Thailand's sluggish economy. This rivalry became particularly intense in the south of the country, traditionally a stronghold of conservative voters, where both parties fought bitterly for support.

High-ranking bureaucrats, government officials, business groups and provincial leaders who had supported the PPRP in the previous election faced a dilemma ahead of the 2023 polls. They were reluctant to appear as though they were taking sides between Prawit and Prayut in case they were punished if either one of the generals returned to power. As a result, some opted to remain neutral while others refrained from actively participating in election campaigns. A few even chose to support both parties to avoid alienating either faction. Consequently, due to the political schism between Prawit and Prayut, the PPRP and UTN had access to diminished resources and weakened support from their business and bureaucratic allies.[2]

On the surface, the PPRP and UTN may appear similar, but they represent two distinct categories of pro-military parties. The PPRP exemplifies the patronage politics model. It consists of various factions hailing from diverse backgrounds, including technocrats, local politicians, businessmen, political bosses and politicians previously aligned with the parties of Thaksin Shinawatra, the former prime minister who was overthrown by a military coup in 2006. The most pivotal faction within the party, responsible for planning and executing election campaigns, is that of the provincial political bosses.

Because Prawit was tainted by corruption allegations and unpopular with voters, including conservative constituents, the PPRP faced a challenge.[3] Without Prayut, it could no longer tap into support from royalists. Instead, the party's strategists made a desperate but unsuccessful attempt to transform Prawit's image into that of a reconciliatory figure capable of bridging political divides.[4] Consequently, the PPRP entered the election race without a charismatic leader or a robust policy platform, and it had to rely on the local networks of vote canvassers and the influence of political families in specific provinces.[5]

In the end, the PPRP won only 39 constituency seats and one party-list seat. Most of these seats were secured in Thailand's Central region where patronage politics and influential political bosses still wield considerable influence. It won all of the seats in Kamphaeng Phet, Phetchabun and Payao, provinces which

were under the influence of the party's faction leaders (Varathep Ratanakorn, Santi Promphat and Thamanat Prompow, respectively). However, the PPRP struggled in the party-list ballot, receiving only 537,625 votes (or 1.43 per cent of the overall share) nationwide, an indication of the unpopularity of Prawit and the party brand. Indeed, many PPRP candidates opted not to feature the party logo, party name or Prawit's photo in their campaign material. Instead, they emphasized their individual qualifications. Some candidates even employed a vote-splitting strategy, encouraging voters who disliked the party to cast their constituency ballot for them while telling voters to have a free choice of party on the party-list ballot.[6]

In contrast, the UTN pursued a very different campaign strategy. The party was hastily formed just a few months before the election, primarily to fulfil Prayut's aspiration to retain power. After nine years in office, during which time the economy stagnated and the cost of living increased, Prayut was unpopular among the general public.[7] His administration also failed to deliver on key policy promises. As a result, the UTN struggled to attract high-profile politicians or influential political families as candidates because these seasoned politicians viewed the PPRP and the well-funded Bhumjaithai Party (BJP) as more attractive options.[8] Unable to mobilize voters through patronage or policy-based campaigning, the UTN turned to a more ideological, hardline political approach. It positioned itself as ultraconservative and staunchly pro-monarchy and as a bulwark against perceived threats from radical youths and progressive political parties—such as the Move Forward Party (MFP), which came first in the elections—that were critical of the monarchy. Just days before the polls, it released a campaign video suggesting that if the progressive parties were to win, it could lead to the erosion of religion and monarchy.[9]

The UTN's ideology-driven campaign proved effective in the party-list ballot, resulting in the party securing more party-list seats (13) than its pro-military rival, the PPRP. Prayut's credentials as a royalist, military leader who has consistently defended the monarchy throughout his career resonated with the senior and conservative demographic, particularly in the south of the country. The majority of the constituency seats it won (14 out of 23) were in the south. Notably, the party was defeated in Thailand's Northeast region (known as Isan), a stronghold of the Pheu Thai Party (PTP) and the Red Shirts, solidifying the UTN's identity as an ultra-royalist party with its roots firmly in the south.

The poor electoral performance of the PPRP and UTN signals a transformation of Thai politics. The results underscore that while local networks of influence, patronage systems and state involvement still hold some sway in elections, they alone are insufficient to secure a victory for the political parties that are reliant on these traditional campaign methods. Furthermore, the adoption of an ultra-royalist and militarist ideology, albeit without a robust policy platform, may appeal to a small segment of voters but was met with rejection by the majority of the electorate. The defeat of these two parties demonstrates the inability of Thailand's royalist and conservative elites to maintain their grip on power through electoral processes and adapt to the demands of democratic political competition. In historical terms, however, the deficiencies of both parties are not exceptional; they align with the recurring weaknesses of pro-junta governments in Thailand. Indeed, the country's authoritarian leaders have never managed to establish a party-based regime.

An Authoritarian Regime Without a Dominant Party

Why does the Thai establishment continually falter in the realm of electoral politics? I posit three explanations. Firstly, Thai elites have increasingly relied on coups as their primary political instrument. While honing their proficiency in orchestrating putsches, they have neglected to amass the necessary skills and abilities for governing through democratic mechanisms. Furthermore, their success at frequently instigating coups—Thailand has experienced 13 successful and nine unsuccessful coups since the turn of the twentieth century—has resulted in their limited experience and motivation when it comes to building resilient party organizations. This includes critical tasks such as formulating policy agendas, garnering voter support and establishing grassroots political networks. As such, coups have been seen by Thai elites as the easier and less resource-intensive route to power.[10]

Secondly, the inability of traditional elites to establish a strong political party makes them weak in elections. Thailand's conservative elite class has failed to construct the essential underpinnings of a pro-regime political party that possesses a lasting organizational framework. Such a party should ordinarily be equipped to formulate policies, uphold an ideology and rule. The Democrat Party, established by royalists during the 1940s, once served this function. However, since 1992, the party has been in a state of decline and has been

unable to win any elections. In the absence of their own competitive political parties, Thailand's traditional elites have historically sought to influence elections through two distinct approaches: the blatant manipulation of the electoral process; and the utilization of proxy political parties, where the military exerts pressure on civilian politicians to participate in the formation of "nominee" parties.[11] These methods serve as shortcuts for conservative elites to secure swift victories at the polls. However, they do not ensure the long-term sustainability of power, which necessitates diligent and sustained efforts.

The persistent failure of royalist-conservative elites at the ballot box underpins their disregard for democratic processes and institutions as well as contributing to the fragility of democracy in Thailand. This historical pattern is exemplified by the failure of military-backed parties, such as Seri Manangkhasila in 1957, Saha Pracha Thai in 1969 and Samakheetham in 1992, to extend the rule of respective military juntas. When these parties could not secure power for their junta leaders, they disintegrated and faded away.[12]

It is worth noting that Prayut and Prawit held power for nine years, a longer period than any other junta leader since the 1973 uprising. Yet, they have not effectively utilized their resources to establish the foundations of a pro-regime political party. The PPRP was hastily formed just a year before the 2019 general elections and UTN emerged only a few months before the 2023 polls. Both also lacked a robust campaign strategy or a policy platform. Instead, these "ad hoc parties" relied on co-opting faction leaders and candidates from other political parties, with the expectation that the personal reputation of junta leaders, financial support from major business groups and the exploitation of state mechanisms for electoral interference would compensate for their shortcomings.

Thirdly, the persistent failures of Thai conservative elites at the polls stem from their inherent lack of unity. Since 1957, palace institutions, the military and leading business groups have formed ever-shifting and often temporary alliances, which have primarily arisen in response to immediate threats to the existing order, such as the challenges posed by the popularity of Thaksin and his political network or, more recently, the youth protests critical of the monarchy and the rapid ascent of the progressive, anti-establishment Future Forward Party (FFP) and its successor, the MFP. These temporary alliances among conservative elites have proven fragile and prone to internal conflicts.[13] Therefore, the rivalry between Prawit and

Prayut, which ultimately resulted in the weakening of pro-military parties and their electoral defeat at the 2023 polls, conforms with historical patterns.

Conclusion

The defeat of both the PPRP and UTN in the 2023 general elections hindered the chances of the leaders of the 2014 military coup retaining power. However, undemocratic aspects of the junta-drafted 2017 Constitution enabled military-aligned parties to join the new coalition government. Initially, the MFP, which won the largest number of seats, led a coalition of eight parties which controlled 312 seats in parliament, combined. However, the MFP's leader, Pita Limjaroenrat, failed in his bid to become prime minister after junta-appointed senators voted against his appointment during a post-election parliamentary vote. The senators cited concerns about the MFP's perceived threat to the nation, religion and monarchy—Thailand's three sacred pillars. Major political parties, including the PPRP and UTN, publicly criticized the MFP on the same grounds, declaring their refusal to join a coalition in which it was included.[14] Consequently, the party found itself isolated from mainstream political society.

Despite securing 151 seats and 14 million votes, the MFP could not form a government. Instead, a controversial coalition between pro-military parties and Thaksin-backed Pheu Thai Party (PTP), which came in second place in the polls, was formed with the backing of conservative elites, exposing a new political rift. This alliance demonstrated the ability of royal-military elites to retain power despite election losses, aided by political mechanisms established after the 2014 military coup and a junta-designed constitution. The military-appointed Senate, Election Commission and Constitutional Court acted as gatekeepers for the traditional elites, while those elites co-opted the PTP into collaboration by offering Thaksin—who had been in exile since 2008—a safe return to the country with a royal pardon as well as by endorsing a PTP candidate as prime minister. By aligning itself with those elites, the PTP faces the possibility of encountering the same issues that undermined pro-regime parties in the past. Moreover, the 2023 elections highlight how royal-military elites obstruct democratic mechanisms and maintain power through undemocratic institutions without the need for an electoral victory.

NOTES

1 "Prayut 'to Go Home' If His UTN Party Fails to Win", *Bangkok Post*, 12 May 2023, https://www.bangkokpost.com/thailand/politics/2568510/prayut-to-go-home-if-his-utn-party-fails-to-win.

2 Marwaan Macan-Markar, "Thailand Generals' Election Rivalry Places Military on New Footing", *Nikkei Asia*, 11 March 2023, https://asia.nikkei.com/Politics/Thailand-generals-election-rivalry-places-military-on-new-footing.

3 "Trailing in the Polls, Prawit Counts On Post-election Jockeying to be Next PM", *The Nation*, 19 April 2023, https://www.nationthailand.com/thailand/politics/40026796.

4 "Prawit's Reconciliation Politics: Solution to Political Conflict or Election Power Play?" *Thaipbs World*, 15 March 2023, https://www.thaipbsworld.com/prawits-reconciliation-politics-solution-to-political-conflict-or-election-power-play/.

5 Author field research, Chanthaburi, 14–17 April 2023; author field research, Ubon Ratchathani, 7–13 May 2023.

6 Ibid.

7 "PM Shrugs Off Waning Popularity", *Bangkok Post*, 21 March 2023, https://www.bangkokpost.com/thailand/politics/2532376/pm-shrugs-off-waning-popularity.

8 Tan Tam Mei, "Bhumjaithai Party Could Return as Key Power Broker in Thailand's Next Government", *Straits Times*, 17 April 2023, https://www.straitstimes.com/asia/se-asia/bhumjaithai-party-could-return-as-kingmaker-in-thailand-s-next-government.

9 "Prayut Signs Up with United Thai Nation Party", *Bangkok Post*, 9 January 2023, https://www.bangkokpost.com/thailand/politics/2478609/prayut-signs-up-with-united-thai-nation-party.

10 Paul Chambers and Napisa Waitoolkiat, "The Resilience of Monarchised Military in Thailand", *Journal of Contemporary Asia* 46, no. 3 (2016): 425–44.

11 Siripan Nogsuan Sawasdee, "The Conundrum of a Dominant Party in Thailand", *Asian Journal of Comparative Politics* 4, no. 1 (2019): 102–19.

12 Prajak Kongkirati, "Haunted Past, Uncertain Future: The Fragile Transition to Military-Guided Semi-Authoritarianism in Thailand", in *Southeast Asian Affairs 2018*, edited by Malcolm Cook and Daljit Singh (Singapore: ISEAS – Yusof Ishak Institute, 2018), pp. 363–76.

13 Prajak Kongkirati, "Overview: Political Earthquakes", *Contemporary Southeast Asia* 41, no. 2 (2019): 163–69.

14 Rebecca Ratcliffe and Navaon Siradapuvadol, "Thailand's Winning Candidate for PM Blocked From Power", *The Guardian*, 13 July 2023, https://www.theguardian.com/world/2023/jul/13/winning-thailand-candidate-for-pm-blocked-from-power-pita-limjaroenrat.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 414–41 DOI: 10.1355/cs45-3j

ISSN 0129-797X print / ISSN 1793-284X electronic

The Grey Zone of Chinese Capital: Online Gambling in Cambodia's Sihanoukville

JING JING LUO

Between 2016 and 2019, the online gambling industry in Cambodia grew from obscurity to become the largest in Southeast Asia, capturing news headlines worldwide. Focusing primarily on the adverse impacts of this phenomenon, especially surging crime rates and discontent among local Cambodians, these reports often failed to provide a meaningful understanding of the complex factors and actors behind the industry. With little systematic scholarly research on the topic, this article seeks to fill the gap. Utilizing data from fieldwork in Cambodia and China, it examines the drivers of Chinese investment in Cambodia's gambling industry, from its openness to foreign capital and weak governance to crackdowns in other gambling hubs like the Philippines and Macau. It further offers an ethnographic discussion of Chinese online gambling operations in Cambodia and their impacts on both Cambodian and Chinese societies. Additionally, it considers the implications of the Cambodian government's crackdown on online gambling in 2019 and the COVID-19 pandemic on China-Cambodia relations.

Keywords: Chinese investment, online gambling, Sihanoukville, money laundering, Cambodia's economy.

Jing Jing Luo is Post-Doctoral Researcher at the School of Public Affairs, Xiamen University. Postal address: School of Public Affairs, Xiamen University, 422 Siming South Road, 361005, Xiamen, China; email: 181377498@qq.com.

Chinese investment in Cambodia has been the subject of global attention in recent years,[1] particularly in the coastal city of Sihanoukville, where a mostly Chinese-funded gambling industry has been established to serve mainly Chinese gamblers. Reports from international media paint a worrying picture of kidnappings, human trafficking, drug smuggling, money laundering and gangland shootings in the area.[2] However, news stories cannot provide a comprehensive understanding of the situation, and academic research into Sihanoukville's gambling sector is limited—likely due to the secretive nature of the industry and the reclusiveness of the Chinese community. Drawing upon data obtained from extensive fieldwork in both Cambodia and China, this article seeks to fill the void in existing literature.

I employed a combination of qualitative methodological techniques from political science and cultural anthropology to gather data for this study. My first source was interviews with key informants, including "elites" and "non-elites". "Elite" informants were government officials, heads of non-governmental organizations (NGOs), diplomats and business leaders who had either worked closely with, or had knowledge of, the gambling industry as well as knowledge of Cambodia's domestic and foreign relations. "Non-elite" informants were primarily small business owners—shopkeepers, restaurant owners, and tuk-tuk drivers—and workers within the gambling industry. Interviews took place in China and Cambodia between 2008 and 2020, and were conducted in Khmer, Chinese, or English. Some took place face-to-face while others were conducted via social media platforms due to the COVID-19 pandemic.

Although this study did not employ random sampling, considerable care was taken to avoid any sort of systematic bias when it came to choosing interviewees and research locations. Participants were contacted using "snowball sampling" in which the first round of interviewees included a purposive sample—people with knowledge of the gambling industry and Sino-Cambodian relations.[3] These informants were then asked to help identify other potential participants.

I employed both "semi-structured" and "unstructured" interview techniques. My "semi-structured" interviews were based on open-ended questions, allowing me to probe further and give the respondents greater freedom to expand on a given question.[4] My "unstructured" interviews, or conversations, were conducted with people such as shop owners, people involved in land conflicts

and workers. The purpose of these unstructured interviews was to gather relevant empirical information and then organize it in a manner that allowed me to conduct "process tracing", a technique for understanding causality,[5] and provide a "thick description" and in-depth discussions of pertinent issues in the style of anthropologist Clifford Gertz.[6] I ensured the confidentiality of my sources, adhering to the research ethics of my institution and the requests of the informants.

Another method employed for this research was observation. Because social science research focuses on human behaviour and actions, there is often hidden information—such as activities inside restricted casino cafeterias or the everyday interactions between Chinese nationals and local Cambodians—which cannot be uncovered through spreadsheets or secondary accounts. Through observation, researchers can gain access to such information. In fact, the combination of observation and chance encounters has always been an integral part of fieldwork-based political science research.[7] This methodology provided me with valuable data and insight that, to the best of my knowledge, few academic researchers on Sino-Cambodian relations have previously documented.

This study also utilizes both primary and secondary sources to interpret multiple issues related to the gambling industry and Sino-Cambodian relations. Primary sources include fieldwork interviews and content analysis, which can help assess difficult-to-measure factors such as patronage networks.[8] I particularly paid attention to government documents as well as reports by bilateral and multilateral institutions, and media from abroad. The data from the primary and secondary sources were triangulated to ensure internal validity and reliability,[9] thus ensuring the methodologically rigorous nature of this article.

This article consists of five sections, beginning with a historical review of developments of casinos in Cambodia, including online gambling. Section two analyses the factors that drove Chinese investment in Cambodia's gambling industry. Section three offers an ethnographic discussion of online gambling operations in the country. Section four discusses the impacts of the gambling industry on Cambodia and China as well as its implications for China's soft power. Finally, I conclude by discussing the prospects of Sihanoukville following the COVID-19 pandemic and the Cambodian government's ban on online gambling since 2019.

The Gambling Industry in Post-Socialist Cambodia

After decades of civil war and communist/socialist rule, Cambodia shifted to a capitalist economy in 1993 that made gambling legal. The exact number of casinos is unknown, but it is estimated that there were hundreds of licensed and unlicensed ones in the late 1990s.[10] The industry really got going in 1995 when NagaWorld Entertainment City—owned by Lip Keong Chen, a Malaysian of Chinese ancestry—won the first gambling license which gave the company exclusive operation rights within Phnom Penh and a 200-kilometre radius around the capital for a period of 70 years.[11] It subsequently opened Cambodia's first post-war casino on a remodelled cruise ship near the site of a casino that had been in operation during the *Sangkum Reastr Niyum* (people's socialist community) era in the late 1960s.[12] In 2003, NagaWorld Entertainment City expanded operations with the construction of the on-land NagaWorld Casino (NagaWorld 1). It later invested an additional US$369 million to build a satellite casino resort, NagaWorld 2. In 2006, NagaWorld Entertainment City was listed on the Hong Kong Stock Exchange under the name "Nagacorp Limited", paving the way for the internationalization of Cambodia's gambling industry.

Wanting to expand its revenue and take advantage of gambling prohibitions in neighbouring Vietnam and Thailand, the Cambodian government also passed legislation in 1995 that permitted casino operations in the country's border towns as well as at the Bokor Resort (in Kampot Province) and in Sihanoukville. It remains debatable whether the gambling industry is an important source of revenue. In 2019, the government reportedly earned US$85 million in taxes from the sector, compared to the total tax revenue of over US$6 billion for the year. However, government sources appear to believe the gambling industry is an important moneymaker for the state. According to Ros Phearun, an official at Cambodia's Ministry of Economy and Finance, "the government has clear policies to regulate the gambling industry to ensure that the national budget is increased, and national security is protected."[13] Moreover, the gambling industry has potential spillover effects on other sectors of the economy, such as construction, tourism and services.

There are generally two types of gambling legislation around the world: non-restrictive jurisdictions and restrictive jurisdictions.[14] In non-restrictive jurisdictions, gambling operates without restrictions on the nationality of players or the location of the casinos. In restrictive jurisdictions, gambling operations are confined to certain

locations and nationalities. To limit the socioeconomic impact of gambling, in 1996 the Cambodian government adopted the Law on the Suppression of Gambling, which mandates that Cambodian nationals cannot gamble within casinos in the country and casinos can only operate within certain areas.[15] Although the law prohibits Cambodian nationals from gambling inside Cambodia-based casinos, the rule is not always enforced.

The Cambodian government also limits gambling to three types: traditional casinos, traditional casinos plus online, and online gambling. Traditional casinos, also known as "offline gambling", allow card games such as blackjack, roulette, poker and slot machines, while online gambling licenses offer only digital games, such as live dealer games, video games, sports betting and lotteries. On 18 August 2019, the Cambodian government stopped issuing online gambling licenses, although existing licenses will remain valid until their expiration. The Ministry of Economy and Finance regulates the gaming industry through licensing. Except for the NagaWorld resorts, casinos are not allowed to increase the number and size of gambling tables after obtaining a license.[16] License fees for casinos range from approximately US$350,000 to US$3 million, depending on the location, size and type of operation, such as whether it is a traditional casino, a traditional casino plus online gambling, or pure online gambling.[17] These variations also depend on the connections investors have in Cambodia, a country with weak governance.

As with many countries in the Global South, Cambodia is beset by chronic corruption. According to World Governance Indicators, Cambodia had an average score of 19.6 on a scale from 0 to 100 between 2016 and 2021.[18] Despite some efforts by the Cambodian government to tackle graft, such as the passage of the Anti-Corruption Law in 2010 and the prosecution of some senior government officials, corruption remains endemic.[19] In 2019, Cambodia ranked 162nd out of 180 countries on Transparency International's Corruption Perceptions Index, the worst rating for a Southeast Asian country.[20] The United Nations Office on Drugs and Crime (UNODC) has long noted that Cambodia is highly vulnerable to money laundering by organized crime syndicates.[21] In 2018, the Financial Action Task Force (FATF), a global anti-money laundering watchdog, placed Cambodia on a "grey list". My interviews with Chinese investors suggest that corruption is widespread at every level of government with which they came into contact.[22] It should be noted that Chinese

investors' involvement in corruption is also associated with the corrupt practices of the Chinese business culture.[23] Being familiar with the use of *guanxi* (关系), a term for patronage networks among business groups within China, many Chinese businessmen are quick to exploit patronage business dealings in Cambodia.

Drivers of Chinese Investment in Cambodia's Gambling Industry

In the mid-2010s, Cambodia's gambling industry, particularly online gambling, emerged out of the blue. This section aims to explain the reasons behind it. According to the IMARC Group, a market research firm, the global gaming market revenue was US$207 billion in 2022 and is projected to reach US$343 billion by 2028.[24] If the underground gambling market is included, the size of the market is likely to surpass US$1 trillion.[25] In China alone, the gambling market was estimated to be worth US$9.9 billion in 2022 and is expected to reach more than US$15 billion by 2028.[26] At its peak in 2019, Cambodia had between 600,000 and 700,000 Chinese nationals working in the country, as well as around two million Chinese tourists every year. Traditional casinos were therefore built in Cambodia primarily to serve these Chinese workers and visitors. However, online gambling was targeted towards Chinese citizens living in China, as it allows players to hide their identities and thus avoid the moral implications associated with gambling, as well as bypassing China's internal restrictions on gambling.[27]

Due to NagaWorld Entertainment City's exclusive rights within a 200-kilometre radius around Phnom Penh, Chinese investors had to look elsewhere to develop casinos, such as Sihanoukville and Cambodia's border towns. Sihanoukville was the ideal location for them as the coastal city boasts beautiful beaches and a pleasant climate, making it a popular destination for the growing number of Chinese tourists. Moreover, the presence of a deep seaport and a nearby Special Economic Zone (SEZ)—an industrial centre for foreign investment, particularly from China—meant that Sihanoukville became a hub for non-gambling Chinese investment as well as a prime spot for casino development in the country.

Despite the increasing number of traditional casinos in Sihanoukville during the 2010s, most yielded comparatively low profit margins. According to the CEO of a casino in the city, "Cambodian casinos do not attract many high-stakes gamblers."[28] One possible explanation for this is that traditional casinos in

Cambodia could not be used as conduits for money laundering as they only provided cash withdrawals and not bank cheques, which enable players to deposit their winnings in banks. Even if casinos did offer cheques, they were not accepted internationally, unlike those issued by casinos in Macau or Las Vegas.[29]

Beginning in 2016, Chinese investors took advantage of Cambodia's modernized Internet infrastructure and shifted to online gambling. With this shift, they were able to access a larger group of players remotely in China and have more opportunities to engage in money laundering, as explained later. This shift was fuelled by the country's Internet infrastructure development, which was kickstarted in May 1997 when Telstra of Australia launched their BigPond service in Cambodia. However, development truly took off in the early 2010s after Vietnam's Viettel launched Metfone in 2009[30] and Xinwei, a Chinese firm, brought McWiLL technology to Cambodia in 2013, making 4G more accessible and allowing for a larger data capacity at a lower cost of network instalment. In 2019, Smart Axiata, a local telecom company, completed field tests of 5G networks in Cambodia with the support of China's Huawei. Due to its reliable and modernized Internet infrastructure, some Chinese online gambling operators in Southeast Asia decided to set up their technical operations headquarters in Cambodia.[31]

An additional factor was the lower operational costs in Cambodia compared to other countries in Southeast Asia, including the Philippines, another popular online gambling hub. The operating costs of the online gambling industry mainly include labour, offices, equipment, taxes, visas and labour certificates. Salaries of the mostly Chinese workers in the sector are roughly the same between Cambodia and the Philippines. According to my fieldwork research, their average basic salary is between 8,000 and 10,000 yuan per month (US$1,066–1,333), plus food, accommodation and medical care.[32] A company's average monthly expenditure on an employee is roughly 15,000 yuan (US$2,000), excluding performance commissions.[33]

However, Cambodia has the comparative financial advantage in almost all other areas of operations. Although the cost of housing and land in Cambodia steadily increased during the 2010s until the outbreak of the COVID-19 pandemic in early 2020, it generally remained cheaper than in the Philippines.[34] The Philippines only allows the online gambling industry to operate in government-designated areas, such as Pasay, Makati and AlaBang, where property

values and rents are comparable to "first-tier" cities in China, such as Shanghai and Guangzhou. In 2016, for instance, the monthly rent of a 30-square-metre apartment in Makati in the Philippines was between 4,000 and 5,000 yuan (US$533–667), whereas the rent for a similar apartment in Cambodia's Sihanoukville Special Economic Zone, even during the peak of the real estate bubble in 2018 and 2019, was between 500 and 600 yuan (US$67–80).[35]

Cambodia also has a comparative advantage when it comes to tax rates, as online gambling operators in the Philippines are subject to personal income taxes for foreign employees equal to 25 per cent of their income. According to insiders of a large online gambling company in the Philippines, the average monthly tax bill per employee born by a company is more than 20,000 yuan (around US$2,666).[36] On average, monthly employee income taxes for an entire company could cost two billion pesos (nearly US$40 million).[37] Prior to the promulgation of a new tax law in 2023, Cambodia did not have an income-based tax for employees in the gambling sector. Instead, gambling operations paid taxes as a lump sum based on gross revenue.[38] Tax evasion as the result of collusion between tax collectors and casino owners was also high.[39]

The Philippines' tax rate for online operators—known as a "Philippine Offshore Gaming Operator" (POGO)—is not only strictly enforced by law, but also costly. In 2019, the Philippine House of Representatives passed Republic Act 11590, which became law in September 2021. This law imposed an additional 2 to 5 per cent duty on a POGO's gross revenues as well as an additional monthly tax of US$10,000 per live remote table and US$5,000 per month for each random number generated (RNG) game.[40] By comparison, Cambodia did not introduce a specific tax for the online gambling industry before it was banned in 2019.[41]

Cambodia also has clear cost advantage over the Philippines when it comes to visas and labour certification. The Philippines' 9G visa, which includes labour certification and multiple entries per year for online gambling operations, costs between US$1,500 and US$2,500 per employee.[42] On the other hand, the cost of a labour permit in Cambodia is between US$200 and US$300 per worker, while a multiple entry one-year visa ranges between US$300 and US$350.[43]

After 20 years of loose regulation, the Philippine government began to tighten its grip over the gambling sector in July 2016 when Rodrigo Duterte, the president at the time, signed the Freedom of

Information (FOI) executive order.[44] Subsequently, Philippine law enforcement agencies shut down 286 Internet cafes that had served as fronts for online gambling. They also banned 53 video game shops owned by Leisure & Resorts World. In November 2016, a joint operation involving the Philippine Immigration Service, the Department of Justice and the military raided illegal online gambling operations at Clark Resort, arresting more than 1,000 employees, most of whom were Chinese nationals. Clark, a former US naval military base, had been turned into an upscale private resort that also housed a cluster of illegal online gambling operations. Being a resort, Clark was considered a safe location by "vegetable farmers" (菜农), a moniker for people who engage in online gambling operations.[45] Two additional raids at the Laoag Resort and the Burgundy Building in downtown Makati led to the arrest of more than 2,000 Chinese nationals. Since 2016, restrictive laws and government crackdown of illegal gambling activities greatly reduced the space for illegal online gambling operators in the Philippines, driving many to Cambodia. In September 2016, the Philippine government also granted the Entertainment and Gambling Company (PAGCOR), a state-run firm that is controlled by the office of the president, a monopoly over the issuance of gambling licenses, after which PAGCOR issued fewer licenses and charged higher fees.

An additional factor was the decline of Macau's gaming industry. Following Beijing's economic reforms in the early 1980s, people from mainland China, Hong Kong and Taiwan accounted for about 90 per cent of Macau's total visitors.[46] Before a crackdown by Beijing, approximately 70 per cent of the revenue of casinos in Macau came from VIP lounges, the preferred arena for business tycoons and government officials from mainland China.[47] Many of Macau's casinos also served as money laundering hubs. According to FTI Consulting, Chinese officials laundered their ill-gotten money using a mechanism known as "settling RMB onshore and settling foreign exchange abroad" (境内结算人民币，境外结算外汇), in which money earned through corruption was funnelled into the casinos and then out as legal cheques, allowing them to then transfer the funds to offshore bank accounts using grey financial market networks.[48] Since 2013, however, the Chinese government has stepped up its anti-corruption and anti-money laundering efforts.[49] These measures deterred Chinese government officials and business tycoons from laundering their money through casinos in Macau.[50] As a result, VIP lounges in Macau has seen about a 70 per cent downturn in

revenue since 2013. In response, many of those former clients of Macau's casinos have instead looked to Southeast Asia, including Cambodia, as a new location for laundering their money.[51]

At the same time, the Chinese government has also cracked down on domestic online gambling operations that were disguised as Internet cafes. This eliminated the living space for online gambling operations within China, thus forcing them to search for new areas of operation elsewhere.[52] Countries like Cambodia became suitable alternatives because of the factors outlined above.

According to information gathered during my fieldwork, the first wave of Chinese operators moving to Cambodia took place between 2017 and 2019, and many made handsome profits. This sparked numerous tales in China of uneducated young men becoming millionaires or even billionaires overnight, creating myths of easy wealth in Cambodia. In turn, this attracted more young Chinese men keen on "getting rich overnight" (一夜暴富) to the country.[53]

Chinese-funded Online Gambling Operations in Sihanoukville

It is difficult to be exact on the number of casinos and online gambling operations in Cambodia. According to media reports, there were 98 casinos with business licenses in Cambodia in 2017, and this number increased to 150 in 2018.[54] Ros Phearun, from the Ministry of Economy and Finance, confirmed that the ministry had issued 163 casino licenses in 2019, with 91 of these located in Sihanoukville.[55] A CEO of a major casino in Sihanoukville reported that the Cambodian government had approved 240 casino licenses by March 2019, with around 90 in Sihanoukville.[56] Other reliable sources suggest that by December 2020, Cambodia had issued more than 300 casino licenses.[57] The exact number of Chinese-funded casinos is unknown, but it is believed that most casinos in Sihanoukville are owned by Chinese nationals.[58]

Compared to casinos in internationally renowned cities such as Macau and Las Vegas, Cambodia's casinos are relatively small. NagaWorld, the largest casino in the country, has only 1,700 rooms, 600 gaming tables and 500 slot machines.[59] Its revenue in 2019 was equivalent to just 0.08 per cent of that of the Macau-based Galaxy Entertainment Group Limited. However, Cambodia's traditional casinos, especially small ones, are often used as covers for online gambling.

Between early 2016 and late 2019, when it was banned, the online gambling industry in Cambodia grew from obscurity to

become the largest in Southeast Asia.[60] Cambodia's online gambling operations can be divided into three categories. The first consisted of entities with legal online gambling licenses. Obtaining licenses involved a complicated process, limiting the number of them. However, they were generally large in scale, employing 20,000 to 30,000 people with estimated daily revenue reaching as much as hundreds of millions of dollars in 2019.[61]

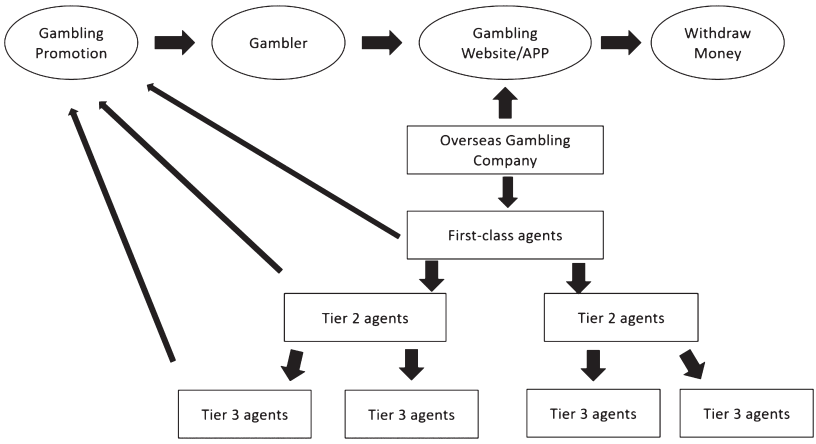
The second category included entities that leased or shared traditional casino operating licenses. Such operations were generally located above traditional casinos. According to Cambodian casino laws, a casino can only operate one type of gambling operation: online or traditional. As such, online gambling operations that operated within traditional casinos were illegal. Although the number of these types of casinos is unknown, it is believed that they constituted the largest number of all online gambling operations in Sihanoukville. Their scale of operation ranged from larger casinos with up to 300 employees, to smaller ones with only a few dozen employees.

The third category composed of small, "underground" operations located in rental office buildings or private homes. These so-called companies often had only a handful of people and computers. They did not have licenses, nor did they use traditional casinos as cover. Due to their small size and strong concealment, they could easily operate underground. However, as far as I am aware, they no longer exist as authorities have since closed down these operations.

In response to surging crime rates and social disorder, the Cambodian government issued a directive in August 2019 that banned all online and arcade gambling in the country.[62] It was estimated that approximately 80 per cent of the Chinese nationals residing in Cambodia were involved in some way with online gambling operations at the time.[63] Because of poor record keeping as well as widespread human smuggling, the exact number of Chinese nationals residing in Cambodia before 2019 is unknown. According to the Cambodian government's official data, there were 500,000 Chinese nationals in Cambodia that year, although the heads of several Chinese companies speculated that the number could have been as high as 600,000 or 700,000.[64] If the 80 per cent engagement rate is accurate, this could mean that between 300,000 and 400,000 Chinese nationals were involved in online gambling operations in 2019, with the majority residing in Sihanoukville and Kampot, and the rest spread across other gambling cities near Cambodia's borders with Thailand and Vietnam.

According to my fieldwork research, online gambling operations adopt two business models: the "agency model" and the "non-agency model".[65] The "agency model" (or "proxy model") is a pyramid structure of multilevel management. As shown in Figure 1, the overseas operations are at the top of the pyramid and are mainly responsible for building gambling websites or apps. These operations, also known as "IT basic service companies", are mainly set up in countries with little regulation, such as the Philippines, Cambodia and Myanmar. Some use promotional agencies to recruit gamblers as well as more conventional channels such as groups on QQ (an instant messaging software), SMS, search engines and social media platforms. To be able to play, gamblers must set up an account with overseas gambling websites or apps and then charge money to these accounts using WeChat, Alipay or bank cards.

Figure 1
The Agency Model of Online Gambling



Source: Author's fieldwork data.

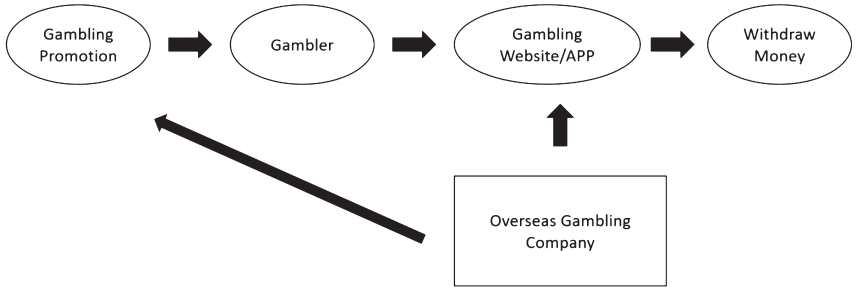
Each level of agency is hierarchical and tightly organized so that agents do not know each other. Agents' earnings are derived from commissions, based on a proportion of the profit earned from the gamblers they have recruited. In the agency model, promotion is key to the entire chain, so it requires a large number of employees. Most Chinese online gambling operations overseas choose this model because it allows them to outsource promotion, the most expensive and labour-intensive component, to a promotion agency. Many Chinese investors in Cambodia created promotion agencies. However, many

of them went bankrupt and are known within the online gambling community as "cannon fodder" (炮灰).[66] To enter the market, an agency needs an initial investment of between one and two million yuan (US$133,000–266,000) to pay for advertisements, staff wages and rent, as well as other costs.[67] According to a businessman from Fujian, "There are quite a few people who have lost two or three million yuan [US$266,000–399,000] in their recruitment agency business and returned home [to China]."[68] As a result, success stories in the gambling industry are few and far between but cases of failures are all too common.

As illustrated in Figure 2, in the "non-agency model" the online gambling companies have full control over the entire operation, from setting up gambling websites and apps to the recruitment of gamblers. This model is more suitable for larger operations that entered the online gambling industry early and have already established promotion channels and a large customer base. According to a businessman from Chongqing who once invested in online gambling in Sihanoukville, "The competition in the gambling industry is fierce now, and only those gambling operations that started early and have been successful can operate the whole process by themselves, and do not need to share the cup with others."[69]

In the online gambling industry, success belongs to those at the top of the chain of command, such as software developers and the big gambling companies. The agents at the bottom are less likely to succeed. However, when they do succeed, their rewards can be considerable. This is the reason behind the large influx of Chinese nationals into the industry. Indeed, investing in online gambling can be seen as a gamble in itself.

Figure 2
The Non-agent Model of Online Gambling



Source: Author's fieldwork data.

Online gambling operations have strict management systems in place. A personnel department is responsible for employee recruitment; a customer service department for recharging accounts and attending to customer inquiries; and an administration department for logistics and security. Each department has a supervisor known as "dog supervisor" (狗主管) who is directly accountable to the company owner, known as "dog owner" (狗庄). The moniker for the person in charge of promotion is "dog seller" (狗推). Each department is divided into several groups, ranging from a few to more than a dozen employees, known as "vegetable farmers" (菜农) and led by a group leader. Each member conceals their real name and is only identified by a number or nickname. All departments operate in isolation and secrecy to protect them from law enforcement; if a member is arrested by the police, they cannot reveal too much information about the entire operation. Moreover, to diversify risks, some large online gambling companies spread their operations across different countries to evade detection by law enforcement.

In addition to having a secretive organizational structure, online gambling operations also strictly manage an employee's everyday life. Large gambling operations with licenses will typically have enclosed compounds that contain all necessary facilities, such as restaurants, hotels, cafeterias and entertainment venues. These compounds are guarded by professional security personnel and are accessible only by authorized individuals. There are strict regulations over the number of hours employees are allowed to leave the compounds. Online gambling operations with shared licenses with traditional casinos also have strict rules on employees within the casino but are less controlling over an employee's life outside of working hours. Underground operations, mostly found in rental apartments or houses, are also guarded by professional security and have strict access regulations, but employees enjoy fewer restrictions on their movement. These less-restricted "vegetable farmers" accounted for the surge in the number of restaurants and entertainment businesses in Sihanoukville. However, they were also the main source of social and security problems, such as drunk driving accidents, gang fights, kidnappings and murders.[70]

After the Cambodian government moved to ban online gambling in 2019, the second and third type of online gambling operations (entities that leased or shared traditional casino operating licenses, and "underground" operations) became the target of government

crackdowns. They were either forcibly closed or voluntarily moved operations to countries with looser controls, such as Myanmar, Palau, Nepal and Mongolia. However, after 2019 most of the online gambling operations with government licenses continued to operate in Cambodia.[71] These operations still strictly supervise the activity of their employees or their "vegetable farmers". As a result of the crackdown in 2019 and the closure or relocation of operations that had fewer restrictions on their out-of-office habits of employees, there are now fewer opportunities for interaction between the Chinese online gambling workers and the local Cambodian society, thus decreasing the chance of social problems such as street fights, drunk driving and other misbehaviour.

The online gambling industry is labour-intensive, requiring many "vegetable farmers" to support operations. The requirements for workers to enter the industry are low: a basic knowledge of computers and Chinese language literacy. Although online gambling operations prefer to employ Chinese nationals, travel restrictions out of China during the COVID-19 pandemic meant they turned to recruiting employees fluent in Mandarin from other Southeast Asian countries. Nonetheless, the vast majority of online gambling industry employees in Cambodia are still Chinese nationals. Common positions include gambling promotion, technical maintenance and customer service. To fill these roles, online gambling operations use two recruitment models: direct and indirect.

"Direct recruitment" refers to the process in which the personnel department of an online gambling company handles the screening and interviewing of candidates as well as organizing on-the-job training (see Figure 2). In contrast, "indirect recruitment" involves the use of headhunting companies or intermediaries and is more commonly used by online gambling operations (see Figure 1). Because their revenues are based on the salaries of their recruits, headhunting companies pursue aggressive recruitment strategies. They publish advertisements promising attractive salary packages on websites such as 58.com, Zhaopin and social media platforms, and use intermediaries to target potential candidates from high schools and universities. To attract more recruits, headhunting companies often sign school-enterprise cooperation agreements with colleges and universities, disguising themselves as headhunters recruiting employees for overseas Internet companies in areas such as game development, promotion and testing.[72]

In China's larger cities, the average monthly salary for a young person who has graduated from high school is 4,295 yuan (US$580) in 2020.[73] However, "vegetable farmers" working in the online gambling industry in Cambodia can receive a monthly salary of 8,000 to 10,000 yuan (US$1,066–1,333), plus free food and housing. This is far too tempting for many young Chinese people who do not want to follow in their parents' footstep of working in factories in big cities and fantasize about a relaxed and worry-free lifestyle overseas.[74] Although would-be "vegetable farmers" know that the work is illegal, they sign up anyway, forming the backbone of the online gambling industry.

After agreeing to join a gambling operation, the companies assist employees with passport applications and flight tickets. Once they arrive in Cambodia, a representative of the operation takes care of the entry procedures. However, operations have strict rules over employees quitting their jobs or going to work for a competitor. Workers' passports are seized, and they are forced to sign unreasonable contract terms that stipulate that if they leave the job within six months, they must pay the company back the cost of the recruitment fee and related expenses such as airfares and visas fees, all of which can range from 10,000 to 20,000 yuan (US$1,333–2,666). If a worker wants to switch to another online gambling company but is unable to pay the fees and expenses, the new company must pay a "ransom".[75] If a worker wants to quit their job and return to China, they must pay the fees and expenses directly to their employer. If they cannot afford to do so, a representative of the gambling operation will demand payment from the worker's family back in China. This practice is known as a "home visit" (家访), a strategy often used by large online gambling operations.[76]

In response to unreasonable ransoms and strict supervision, some workers attempted to escape. Many have been apprehended and subjected to various forms of abuse, such as beatings and illegal detention.[77] To deter future escape attempts, online gambling companies in Southeast Asia have set up a so-called "Wanted Traitors" database that contains detailed information of the "defectors", including their home addresses, passport and ID card images, phone numbers and WeChat accounts. The "remarks" column of the database records the "violation matters" of the individuals, i.e., what they are being "wanted" for. Consequently, anyone who has escaped from

Cambodia is likely to be "wanted" in the online gambling circles in other Southeast Asian countries as well.[78]

The reality is that when someone has entered the online gambling industry, it is very difficult for them to leave. Nonetheless, the high-paying and relatively easy jobs are tempting. Even during the COVID-19 pandemic, when direct flights between China and Cambodia were halted, there were still Chinese people who entered the country using human smuggling routes through Laos and Vietnam to work in the online gambling industry.[79]

Impact on Cambodia and China and Implications for China's Soft Power

The current "iron-clad" relationship between Cambodia and China began in 1997 when Cambodia led by the Cambodian People's Party (CPP) firmly adopted a "one China policy". In 1998, China began to provide modest aid to Cambodia worth US$2.8 million.[80] Since then, Sino-Cambodian relations have deepened in many aspects, culminating in the establishment of a Comprehensive Strategic Partnership in 2010. As this author has argued elsewhere, China intends to use Cambodia as a beachhead to project its soft power in Southeast Asia while the CPP uses close Sino-Cambodian relations to enhance Cambodia's economic development and security.[81]

Within the Comprehensive Strategic Partnership framework, China has aligned its development assistance with Cambodia's development strategy through mutual consultation. China's development assistance scheme, mainly executed through Chinese state-owned enterprises, has prioritized infrastructure such as roads, bridges, hydropower plants, seaports, airports and special economic zones. China has also utilized the Build-Operate-Transfer (BOT) scheme in infrastructure development in Cambodia. Moreover, private investment from China has also grown in many areas including agricultural processing, real estate, and services such as e-commerce, restaurant and gambling.[82] Between 1994 and 2021, China invested US$18 billion in foreign direct investment (FDI) in Cambodia, accounting for 43.9 per cent of the total FDI flowing into the country during the same period.[83] Sino-Cambodian trade has also expanded exponentially, with two-way trade increasing from US$1.44 billion in 2000 to US$16.2 billion in 2022, making China the largest trading partner for Cambodia.[84] The Sino-Cambodian Free

Trade Agreement signed in 2020 is expected to further accelerate trade between the two countries.

Cambodia has benefitted from China's economic engagement, including its investment in the gambling industry. This sector contributed around US$50 million in tax revenue to the state in 2018, increasing to US$80 million in 2019.[85] The industry generated between 50,000 and 60,000 jobs in the years before the COVID-19 pandemic.[86] It also had a major knock-on impact on other industries, such as real estate, construction, hospitality and tourism. Following the surge in gambling investments in 2016, Sihanoukville, previously a small coastal town, underwent a rapid transformation. By the end of June 2019, the city had 156 hotels and lodgings (150 of which were Chinese-funded) and 436 restaurants (95 per cent of which were Chinese-owned).[87] At its peak in 2019, the online gambling sector attracted between 20,000 and 30,000 Chinese nationals, who invested in the city's entertainment industry.[88]

Despite these benefits, the development of the gambling industry also spawned social and economic problems for Cambodia, damaging its international image.[89] Referring to the potential negative aspects associated with China's economic reforms of the 1980s and 1990s, China's former paramount leader, Deng Xiaoping, once said, "when you open the door for fresh air, flies naturally come in" (打开窗户会进来新鲜空气，也会飞进苍蝇). Cambodia faced the similar predicament with its opening up to Chinese investment in the era of globalization. A key element of globalization is "technoscapes", an array of technology such as telecommunication, finance and modern transportation that enable the quick and efficient movement of people, money and services across national boundaries.[90] Bad actors can exploit "technoscapes" to prey on states with weak regulatory and investigatory capacities, such as Cambodia, by engaging in the non-transparent movements of people, money and services.

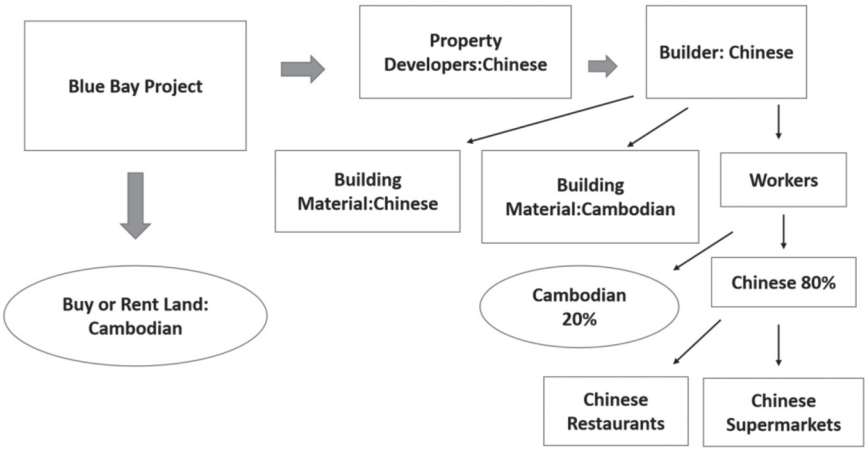
Land conflicts, for instance, have been a contentious issue in Cambodia since its transition to a market economy in the early 1990s.[91] Surging Chinese economic activity in Sihanoukville in the 2010s exacerbated the situation, with a massive increase in demand for land and subsequent incidents of land grabbing.[92] Although Chinese investors might not have been directly involved, their purchases of land without taking into consideration of how it was originally acquired indirectly fuelled these social problems.[93] Chinese investors' demand for land also injected a considerable amount of cash into the real estate sector, benefitting those Cambodians who

had links to foreign capital and landownership. However, many of the poor residents in Sihanoukville, particularly those without property ownership, experienced economic hardship. Rising demand for rent, food and services pushed up prices "high into the clouds", as residents of Sihanoukville often put it.[94] Between 2016 and 2019, land and housing prices and rent in Sihanoukville rose by as much as 20-fold.[95] During the period between 2018 and 2020, the cost of food and rent in major Cambodian cities such as Phnom Penh and Sihanoukville was comparable to that in China's "first-tier" cities. According to a tuk-tuk driver in Sihanoukville, "Previously, you could get a meal for US$1 in Sihanoukville; now it costs US$3 for a meal, and sometimes you may still not be full."[96] The hike in rent pushed many poor Cambodian residents to the outskirts of Sihanoukville, where access to basic services was limited.

Despite Sihanoukville's booming construction and gambling industries, employment for local Cambodians remained limited. Similar to their operations elsewhere in the developing world, Chinese companies in Cambodia followed a closed-loop business model that relies on Chinese inputs and labour.[97] The Blue Bay real estate project in Sihanoukville is an example par excellence of this (see Figure 3). The project owners subcontracted to Chinese companies, which then imported construction materials, equipment and workers from China, despite Cambodia having abundant labour of its own. Their rationale is that Chinese workers are more skilled and industrious, which helps ensure the timely completion of projects. Although this claim may be true, the practice has generated resentment among many Cambodians. However, the COVID-19 pandemic disrupted the movement of Chinese workers in and out of Cambodia, forcing Chinese companies to hire more Cambodian staff. By 2023, Cambodian workers constituted the majority of workers in Chinese-operated construction companies.[98]

Sihanoukville's tourism economy was once a favourite vacation destination for Cambodians and Westerners but because of the large Chinese presence and rising crime rates, their numbers dropped precipitously during the 2010s, resulting in a loss of employment for local people. The growth of the gambling industry was accompanied by the rise in other criminal activities, such as human smuggling, drug trafficking and violent crimes. By the end of 2019, it is estimated that between 20,000 and 30,000 Chinese criminals had settled in Sihanoukville and other Cambodian cities where casinos are permitted.[99]

Figure 3
Operation Chain of the Sihanoukville Blue Bay Project



Source: Author's fieldwork data.

Despite their growing numbers, Chinese nationals largely stayed within the bubble of Chinese owned and operated services, limiting the spillover economic effects for local residents. Moreover, with their business acumen, many Chinese seized the opportunity to open small shops serving Chinese workers, thus undercutting Cambodian-owned businesses. According to complaints by a Cambodian restaurant owner in Sihanoukville, "Initially, our restaurant business benefited from the increased number of Chinese. However, as more and more Chinese investors arrived, some Chinese began to open restaurants. Chinese people generally prefer to eat in Chinese restaurants, and rarely come to our local restaurants."[100] The Chinese-centred business bubble environment is due partly to language and cultural barriers faced by Chinese nationals working in Cambodia.

Chinese investment in online gambling brought many young, restless Chinese men with limited education and limited exposure to foreign travel to Cambodia. Their alleged lack of respect for the local culture and etiquette irritated Cambodians. Some of them had borrowed money from relatives and friends to invest in Cambodia, but ultimately fell victim to criminal gangs and lost their investments. Stranded in Cambodia, some were drawn into criminal activities.[101]

In any country, a thriving gambling industry is often accompanied by the growth of nightclubs, bars and other entertainment venues, as well as a surge in crime. Media reports and social media posts documented daylight street fights between gangs, kidnappings and murders in Sihanoukville. Many Cambodians felt that Sihanoukville was a city under Chinese siege and a no-go zone for Cambodians.[102] China, too, has had to grapple with the socioeconomic issues that come hand-in-hand with the growth of overseas online gambling operations. According to official figures from the Supreme Court of China in 2020, the amount of money lost to "gaming fraud" was 35.37 billion yuan (US$4.7 billion).[103] It is likely, however, that this figure is just the tip of the iceberg. News reports have compared the online gambling industry to a "cash pumping machine", causing an annual financial outflow from China of more than 600 billion yuan (US$80 billion).[104] Online gambling losses and other cyber frauds have bankrupted thousands of Chinese families. In addition, online gambling sites also contribute to other Internet crimes such as pornography, Internet scams and identity theft.

All in all, the gambling industry created vast sums of money for a small group of Cambodians who had access to capital, land and power, while creating social crises for others. This undermined the Chinese government's efforts to promote its soft power. Media reports painted a bleak picture of Chinese investment, wrongly implying that Chinese activity in Cambodia's gambling industry was representative of Chinese investment in the country. In fact, online gambling is only a relatively small portion of Chinese investment in Cambodia and is not supported by either government.

According to some commentators, China has sought to use Cambodia as a beachhead for its soft power projection in Southeast Asia. But criminal activities, the perceived impunity of Chinese nationals, the poor quality of Chinese-funded construction projects in Sihanoukville, as well as the negative impact of Chinese investments on the local economy, have generated resentment among Cambodians towards Chinese and undermined China's efforts to project its soft power. In fact, Cambodia has therefore become "a hard landing for Chinese soft power".[105]

Conclusion: Post-pandemic, Post-online Gambling

In response to the above negative developments, in 2019 the Cambodian government outlawed online gambling, although it is

believed that the industry still exists underground in a limited form. In 2020, the Cambodian and Chinese governments took initiatives to revamp the development of Sihanoukville. The Cambodian government appointed Khouch Chamroeun, a politician with a reputation as a "can-do" man, as the new governor of Preah Sihanouk Province. Law enforcement of both countries also coordinated crackdowns on criminal activities in Cambodia, and in February 2023, Cambodia was removed from the FATF's "Grey List" for money laundering. My fieldwork in early April 2023 suggests that online gambling in Sihanoukville and elsewhere in Cambodia has been significantly reduced, although not yet fully eliminated. Nonetheless, the existing operations with valid licenses are operating in a reclusive environment with limited contact with Cambodian society, thereby reducing social problems. It should also be noted that the new government of Prime Minister Hun Manet has taken further steps to curb all illegal activities, including online gambling.[106] I witnessed something akin to a new normal following the COVID-19 pandemic. Cambodian tourists have returned to Sihanoukville, although the city is now scattered with unfinished buildings that were once constructed hastily as online gambling operations boomed. The online gambling ban as well as the COVID-19 pandemic have turned Sihanoukville back into a quiet town. Although China's reopening in January 2023 after three years of lockdown has led to a steady return of Chinese investors and tourists, it is on a smaller scale compared to pre-pandemic years.

In consultation with Beijing, the Cambodian government is now taking steps to transform Sihanoukville into "Cambodia's Shenzhen", turning what was once a gambling hub into a centre of manufacturing, finance and shipping.[107] China considers Sihanoukville "a landmark Belt and Road Initiative collaboration project between the two nations".[108] Given the increased synergy of economic policies between China and Cambodia, as well as Beijing's intention to use Cambodia as a showcase for its engagement with Southeast Asia, the planned transformation of Sihanoukville into an economic hub will likely move forward. This could potentially help enhance China's image in the eyes of the Cambodian public, convincing them that China is not merely talking the talk but walking the walk in its claim to help build a better, shared future for both countries. More critically, it will also help China in its efforts to project soft power in Southeast Asia and beyond.

NOTES

[1] See, for example, Jing Jing Luo and Kheang Un, "China's Role in the Cambodian People's Party's Quest for Legitimacy", *Contemporary Southeast Asia* 43, no. 2 (2021): 395–419; Daniel O'Neill, "Playing Risk: Chinese Foreign Direct Investment in Cambodia", *Contemporary Southeast Asia* 36, no. 2 (2014): 173–205; and Heng Pheakdey, "Cambodia-China Relations: A Positive-Sum Game?" *Journal of Current Southeast Asian Affairs* 31, no. 2 (2012): 57–85.

[2] See, for example, Meghan Murphy, "Foreign Casinos Have Been a Disaster for Cambodia", *The Diplomat*, 7 July 2022, https://thediplomat.com/2022/07/foreign-casinos-have-been-a-disaster-for-cambodia/; Hannah Ellis-Petersen, "No Cambodia Left: How Chinese Money Is Changing Sihanoukville", *The Guardian*, 31 July 2018, https://www.theguardian.com/cities/2018/jul/31/no-cambodia-left-chinese-money-changing-sihanoukville; George Styllis, "Chinese Cash Fuels a Gambling Boom in a Cambodian Backwater", *Nikkei Asia*, 14 December 2017, https://asia.nikkei.com/Economy/Chinese-cash-fuels-a-gambling-boom-in-a-Cambodian-backwater.

[3] Patrick Biernacki and Dan Waldorf, "Snowball Sampling: Problems and Techniques of Chain Referral Sampling", *Sociological Methods & Research* 10, no. 2 (1981): 141–63.

[4] Robert Peabody, Susan Webb Hammond, Jean Torcom, Lynne P. Brown, Carolyn Thompson, and Robin Kolodny, "Interviewing Political Elites", *PS: Political Science & Politics* 23, no. 3 (1990): 452.

[5] Elisabeth Jean Wood, "Field Research", in *The Oxford Handbook of Comparative Politics*, edited by Carles Boix and Susan C. Stokes (New York, NY: Oxford University Press, 2007), pp. 123–46.

[6] Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York City, NY: Basic Books, 1973).

[7] Lee Ann Fujii, "Five Stories of Accidental Ethnography: Turning Unplanned Moments in the Field into Data", *Qualitative Research* 15, no. 4 (2015): 525–39.

[8] For classic works on content analysis, see Philipp Mayring, "Qualitative Content Analysis", *A Companion to Qualitative Research* 1, no. 2 (2004): 159–76; Robert Angell, "Content Analysis of Elite Media", *The Journal of Conflict Resolution* 8, no. 4 (1964): 330–85; Edward Robert Mitchell, "The Use of Content Analysis for Explanatory Studies", *The Public Opinion Quarterly* 31, no. 2 (1967): 230–41.

[9] John Gerring, *Social Science Methodology: A Unified Framework* (Cambridge: Cambridge University Press, 2011), pp. 82–86. For more on triangulation, see Virginia Wilson, "Research Methods: Triangulation", *Evidence Based Library and Information Practice* 9, no. 1 (2014): 74–75.

[10] Author's fieldnotes conducted in 2018 and 2019.

[11] Teri Yamada, "Phnom Penh's NagaWorld Resort and Casino", *Pacific Affairs* 90, no. 4 (2017): 743–65.

[12] Milton Osborne, *Sihanouk: Prince of Light, Prince of Darkness* (Honolulu, HI: University of Hawaii Press, 1994), p. 63.

[13] May Kunmakara, "Ten More Casino Licenses Granted", *Khmer Times*, 1 October 2015, https://www.khmertimes.kh.com/32011/ten-more-casino-licenses-granted/.

14 张增帆, "网络博彩法律规制国际比较及对中国的启示" [Zengfan Zhang, "International Comparison of Legal Regulation of Online Gambling and Its Enlightenment to China"], *Social Welfare* 6 (Theoretical Edition) (2016): 6.

15 Kingdom of Cambodia, "The Law on the Suppression of Gambling", December 1996, https://cambodiantr.gov.kh/kcfinder/upload/files/Law per cent20on per cent20the per cent20Suppression per cent20of per cent20Gambling per cent20-per cent20EN.pdf.

16 Author's fieldnotes conducted in 2018, 2019 and 2020.

17 Ibid.

18 The World Bank, "World Governance Indicators", DataBank, https://databank.worldbank.org/source/worldwide-governance-indicators.

19 Kheang Un, *Cambodia: Return to Authoritarianism* (Cambridge, UK: Cambridge University Press, 2019), pp. 17–19.

20 "Corruption Perceptions Index 2019", Transparency International, https://www.transparency.org/en/cpi/2019.

21 "Global Watchdog to Put Cambodia on Its Money-Laundering Watchlist", Reuters, 22 February 2019, https://www.reuters.com/article/us-cambodia-moneylaundering/global-watchdog-to-put-cambodia-on-its-money-laundering-watchlist-idUSKCN1QB0N0.

22 Author's fieldnotes conducted in 2019 and 2020.

23 Author's interview conducted in Phnom Penh, Cambodia, in December 2019.

24 Impactful Insight, "China Online Gambling Market: Industry, Trends, Share, Size, Growth, Opportunity and Forecast 2023–2028", https://www.imarcgroup.com/china-online-gambling-market.

25 Michaell Cox, "Asian Racing Steps Up Fight to Stamp Out Billions in Black Market Betting", *South China Morning Post*, 28 April 2017, https://www.scmp.com/sport/racing/article/2091466/asian-racing-steps-fight-stamp-out-billions-black-market-betting.

26 Impactful Insight, "China Online Gambling Market".

27 This information is based on author's interviews with several online gambling industry insiders.

28 Author's interview conducted in Sihanoukville, Cambodia, in March 2019.

29 Ibid.

30 "Metfone Celebrates 14th Anniversary", *Kiripost*, 17 February 2023, https://kiripost.com/stories/metfone-celebrates-14th-anniversary.

31 Ibid.

32 The values in US dollars in this paper are based on exchange rates in July 2023.

33 Author's interview conducted in Sihanoukville, Cambodia, in March 2019.

34 Author's fieldnotes conducted in 2018, 2019 and 2020.

35 Author's fieldnotes conducted in 2018 and 2019.

36 Author's interview conducted via WeChat in March 2020.

37 “中华人民共和国驻菲律宾共和国大使馆经济经商处. 菲律宾将向离岸网络博彩公司外籍员工征税” [“Philippines Will Tax Foreign Employees of Offshore Online Gaming Companies”], Economic and Commercial Office, Embassy of the People’s Republic of China in the Republic of the Philippines, 3 July 2019, http://ph.mofcom.gov.cn/article/jmxw/201907/20190702878350.shtml.

38 Kang Sothear, “MEF Changes Tax Rules for Commercial Gambling Businesses”, *Khmer Times*, 9 January 2023, https://www.khmertimeskh.com/501216022/mef-changes-tax-rules-for-commercial-gambling-businesses/.

39 Author’s interview with casino operators conducted in Sihanoukville, Cambodia, in December 2020.

40 Devin O’Connor, “Philippines POGO Operators Face Additional Five Percent Gaming Revenue Tax, Higher Fees”, *Casino.org*, 23 October 2019, https://www.casino.org/news/philippines-pogo-operators-face-additional-five-percent-gaming-tax/; Tetch Torres-Tupas, “POGOS Cannot Be Made Liable for Taxes Prior to RA 11590-SC”, *Inquirer.net*, 30 September 2022, https://newsinfo.inquirer.net/1673118/sc-pogos-cannot-be-made-liable-for-taxes-prior-to-ra-11590.

41 Author’s interview conducted in Phnom Penh, Cambodia, in March 2019. See also, Kang, “MEF Changes Tax Rules for Commercial Gambling Businesses”.

42 Author’s interview conducted via WeChat on 10 April 2020.

43 Author’s interview conducted in Phnom Penh, Cambodia, in March 2020.

44 Kingdom of Cambodia, “Executive Order No. 2, s. 2016”, Official Gazette, 23 July 2016, https://www.officialgazette.gov.ph/2016/07/23/executive-order-no-02-s-2016/.

45 The term comes from the Chinese homophony “Bocai” (博彩, meaning “gambling”], which is the same pronunciation as “spinach” (菠菜) in Chinese, thus people who work in online gambling are referred to as “vegetable farmers” (菜农).

46 “林双凤.澳门博彩业发展的社会问题分析” [Lin Shuangfeng, “Analysis of Social Problems in the Development of Macau Gaming Industry”], *Guangdong Social Sciences*, no. 2 (2012): 218.

47 Philippa Symington, “Macau Remains a Money Laundering Hotbed”, Global Risk and Investigations of FTI Consulting, 2013, https://www.fticonsulting-asia.com/~/media/Files/apac-files/insights/articles/macau-remains-a-money-laundering-hotbed.pdf.

48 Ibid.

49 Ian Carrington, *People’s Republic of China: Detailed Assessment Report on Anti-money Laundering and Combating the Financing of Terrorism*, IMF Country Report No. 19/172 (Washington, D.C.: International Monetary Fund, June 2019).

50 “中国反腐运动冲击澳门博彩业. 新浪财经” [“China’s Anti-corruption Campaign Hits Macau’s Gaming Industry”], *Sina Finance*, 8 October 2014, https://finance.sina.cn/usstock/mggd/2014-10-08/detail-ianfzhne6356816.d.html.

51 Author’s interview conducted in Phnom Penh, Cambodia, in November 2020.

52 Author’s interview conducted in China in February 2021.

53 This information is based on author’s interviews with Chinese businesspeople in China and Cambodia between 2018 and 2022.

54 柬埔寨博彩业的两大话题：金界赌场与网络博彩 [China-ASEAN Research Institute, Guangxi University], *ASEAN Economic Weekly*, 2019, p. 3.

55 "柬埔寨的赌场已经增至160家，91家位于西港" ["The Number of Casinos in Cambodia Has Increased to 160, with 91 Located in Sihanoukville"], *Realestate News*, 12 June 2019, https://www.realestate.com.kh/zh-hans/news/Cambodia-casino-has-risen-to-163/.

56 Author's interview conducted in Sihanoukville, Cambodia, in December 2018.

57 Author's interview conducted in Phnom Penh, Cambodia, in December 2020.

58 Author's fieldnotes from 2018, 2019 and 2020.

59 Author's interview with casino operators conducted in Sihanoukville, Cambodia, in December 2021.

60 Author's interview with casino operators in Cambodia and the Philippines conducted in December 2021 and March 2022.

61 Author's fieldnotes from 2018, 2019 and 2020.

62 David Hutt, "Did Cambodia Just Make a U-Turn on Gambling", *The Diplomat*, 19 September 2019, https://thediplomat.com/2019/09/did-cambodia-just-make-a-u-turn-on-gambling/.

63 Author's interview with Chinese business leaders conducted in Sihanoukville, Cambodia, on 15 January 2020.

64 Author's interviews with Chinese business leaders.

65 贾春霞, 张晓忠, 丁林, "商业企业自营模式与品牌代理模式比较分析.企业活力" [Chunxia Jia, Zhang Xiaozhong and Lin Ding, "Comparative Analysis of Self-Operated Model and Brand Agency Model of Commercial Enterprises"], *Enterprise Vitality* 11 (2016): 24.

66 Author's fieldnotes from 2018 and 2019.

67 Ibid.

68 Author's interview conducted in Sihanoukville, Cambodia, in March 2019.

69 Ibid.

70 Author's fieldnotes conducted in 2018, 2019 and 2020.

71 Author's interviews with casino operators conducted in Cambodia in March 2021.

72 新京报调查组, "境外赌博集团招聘盯上高校应届生" [Beijing News Investigation Group, "Overseas Gambling Group Recruits Fresh College Graduates"], *Chinanews*, 13 August 2018, https://www.chinanews.com.cn/m/sh/2018/08-13/8597619.shtml.

73 智联招聘 [ZhiLian ZhaoPin], 年秋季大学生就业报告 [Fall College Student Employment Report], 2020, https://download.mouse0232.cn/pdf/0918/2020年秋季大学生就业报告.pdf.

74 黄丽芬, "农二代阶层分化的表现、特点与社会基础" [Huang Lifen, "Manifestation, Characteristics and Social Basis of Class Differentiation of the Second Generation of Farmers"], 中国青年研究 [*China Youth Studies*] 3 (2021): 70.

75 Author's fieldnotes from 2018 and 2019.

76 Author's interview conducted via WeChat in March 2020.

77 Author's fieldnotes conducted in 2018, 2019 and 2020.

78 After gaining rapport with the author, a few informants showed her their database.

79 Author's interview with casino operators conducted via WeChat in March 2020.

80 Paul Marks, "China's Cambodia Strategy", *The US Army War College Quarterly: Parameters* 30, no. 3 (2000).

81 Jing Jing Luo and Kheang Un, "Cambodia: Hard Landing for China's Soft Power?" *ISEAS Perspective*, no. 2020/111, 6 October 2020, https://www.iseas.edu.sg/wp-content/uploads/2020/09/ISEAS_Perspective_2020_111.pdf.

82 Jing Jing Luo and Kheang Un, "China's Role in the Cambodian People's Party Quest for Legitimacy", *Contemporary Southeast Asia* 43, no. 2 (2022): 395–419; and ibid.

83 Shen Gang, "柬媒：中国对柬埔寨投资稳步攀升" [Cambodian Media: Chinese Investment in Cambodia Is Steadily Rising], *China.com*, 26 April 2023, http://news.china.com.cn/2023-04/26/content_85255565.shtml.

84 Li Keqiang's speech at the Third Lancang-Mekong Cooperation Leaders' Meeting, 25 August 2020, http://www.lmcchina.org/eng/zyxw_5/t1808972.htm.

85 *Casino News Daily*, "Cambodia Braces for Reduced Gambling Tax Contributions Resulting from Online Gambling Ban", 24 October 2019, https://www.casinonewsdaily.com/2019/10/24/cambodia-braces-for-reduced-gambling-tax-contributions-resulting-from-online-gambling-ban/; Chan Thul Prak, "Thousands Lose Jobs, Casinos Shut as Cambodia Bans Online Gambling", Reuters, 31 December 2019, https://www.reuters.com/article/us-cambodia-gambling-idUSKBN1YZ0O3.

86 This estimate is based on author's discussions with Chinese businesspeople in Cambodia and Sihanoukville on multiple occasions between 2017 and 2020.

87 "西港娱乐会所、酒店及餐饮业，绝大部分被中资掌控" [Most of the Entertainment Clubs, Hotels and Catering Industry in Sihanoukville Are Controlled by Chinese Capital], *NetEase*, 3 July 2019, https://www.163.com/dy/article/EJ669I07054499HP.html.

88 Author's fieldnotes from 2019.

89 Jing Jing Luo and Kheang Un, "Cambodia: Hard Landing for China's Soft Power?".

90 Arjun Appadurai, "Disjuncture and Difference in the Global Cultural Economy", *Theory, Culture & Society* 7, no. 2–3 (1990): 297.

91 Kheang Un and Sokbunthoeun So, "Land Rights in Cambodia: How Neopatrimonial Politics Restricts Land Policy Reform", *Pacific Affairs* 84, no. 2 (2011): 289–308.

92 Pornpana Kuaycharoen, Luntharima Longcharoen, Phurinat Chotiwan, Kamol Sukin, and Lao independent researchers, "Special Economic Zones and Land Dispossession in the Mekong Region", *Land Watch Thai*, May 2021, https://th.boell.org/en/2021/05/24/sez-mekong-region#.

93 Roseanne Gerin, "Cambodian Villagers Protest Land Dispute in Sihanoukville Province", *Radio Free Asia*, 14 September 2018, https://www.rfa.org/english/news/cambodia/cambodian-villagers-protest-land-dispute-case-in-sihanoukville-province-09142018143512.html.

94 Author's fieldnotes conducted in Sihanoukville, Cambodia, in December 2018.

95 This information is based on author's discussions with Cambodian and Chinese businesspeople conducted in Phnom Penh and Sihanoukville, Cambodia, in December 2019 and March 2020.

96 Author's interview with a tuk-tuk driver conducted in Sihanoukville, Cambodia, on 15 December 2019.

97 David J. Teece, "Business Models, Business Strategy and Innovation", *Long Range Planning* 43 (2010): 172–94; Gao Cheng, "海外投资、企业声誉与舆论引导" [Overseas Investment, Corporate Reputation and Public Opinion Guidance], *Business Times* 24 (2014): 98.

98 Author's interviews with Chinese and Cambodian businesspeople conducted in Phnom Penh, Cambodia, in May 2023.

99 Author's fieldnotes from 2019.

100 Author's interview conducted in Sihanoukville, Cambodia, in December 2018.

101 Author's interviews with Chinese sources in Sihanoukville conducted via WeChat between March and June 2020.

102 Author's interviews with Cambodian sources conducted between December 2019 and January 2020.

103 Sun Jingbo, "去年全国电信网络诈骗财产损失达353.7亿元" [SPC: National Telecom Network Fraud Property Losses Reached 35.37 Billion Yuan Last Year], *China News Network*, 22 June 2021, https://www.chinanews.com.cn/gn/2021/06-22/504524.shtml.

104 Central Broadcasting Network, "内地每年因赌球流到境外的赌资超6000亿" [According to the Survey, the Mainland Has More Than 600 Billion Yuan of Gambling Funds Flowing Abroad Every Year], 13 July 2014, http://china.cnr.cn/xwwgf/201407/t20140713_515838170.shtml.

105 Luo and Un, "Cambodia: Hard Landing for China's Soft Power?".

106 Lan Yunzhou, "柬部长波烈国：贪污和诈骗等刻板印象伤害柬埔寨" [Cambodian Minister Preap Kol: Stereotypes such as Corruption and Fraud Hurt Cambodia], *Lianhe Zaobao*, 27 September 2023, https://www.zaobao.com.sg/news/sea/story20230927-1437468.

107 "Schenzen Institute of Planning to Undertake Sihanoukville Masterplan", *Khmer Times*, 15 November 2019, https://www.khmertimeskh.com/660033/shenzhen-institute-of-planning-to-undertake-sihanoukville-masterplan/.

108 Lin Shujuan, "Sino-Cambodian Joint Venture Changes Lives for the Better", *China Daily*, 4 July 2023, http://en.people.cn/n3/2023/0704/c90000-20039067.html.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 442–64 DOI: 10.1355/cs45-3k

ISSN 0129-797X print / ISSN 1793-284X electronic

Strong "Weak" Parties and "Partial Populism" in Indonesia

LIAM GAMMON

The viability of populism—a political strategy used by charismatic politicians to forge highly personalistic ties with voters—is preconditioned on the alienation of voters from non-populist, patronage-based or identity-based parties. In Indonesia, a collapse in the ties between voters and such parties has opened up strategic space for charismatic political entrepreneurs to make personalistic appeals to atomized voters through the media, without relying on the organizational infrastructure of political parties to connect them to grassroots politics. Since the introduction of direct presidential elections in 2004, the mobilization of party infrastructures has become increasingly irrelevant to a candidate's chances of success, with media-based populism now the default mode of electioneering. However, constantly changing electoral rules have made it increasingly difficult to register a new political party and for that party to nominate a presidential candidate. As a result, populist presidential candidates have been forced to enter into pre-election coalitions with existing parties as a condition of running for president. This article argues that electoral rules have therefore played a crucial role in sustaining the systemic importance of political parties within Indonesia's presidential democracy despite the weak bonds between parties and voters, thus ensuring the cooperation of presidents with party bosses.

Keywords: Populism, electoral systems, party institutionalization, political linkages, presidentialism.

LIAM GAMMON is Research Fellow at the East Asian Bureau of Economic Research, Australian National University. Postal address: JG Crawford Building, 132 Lennox Crossing, Acton, ACT 2600, Australia; email: liam.gammon@anu.edu.au.

The viability of populism—"a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, uninstitutionalized support from large numbers of mostly unorganized followers"[1]—depends to a large degree on the strength of links between voters and established ideology, identity or patronage-based parties. According to Paul Kenny, the mobilization of populism "thrives where ties between voters and either clientelistic or bureaucratic parties do not exist or have decayed. This is because populists' ability to mobilize electoral support directly is made much more *likely* [emphasis in original] by voters not being deeply embedded in existing party networks."[2] For this reason, Allen Hicken argues that "populists are less likely to emerge and be successful in countries where parties are strong, while weak party organizations and unattached electorates provide an open door for [them]".[3]

The above observation is especially true of presidential systems, where the presence of direct presidential elections raises the likelihood that populist candidates will capture executive power through populist campaigns, compared with parliamentary systems where would-be heads of government must work their way through party or parliamentary channels to be appointed to head the government.[4] But what are populism's prospects in a presidential democracy where political parties are weak in some ways but strong in others?

Precisely such a situation has emerged in Indonesia over the past two decades. Institutional changes that accompanied the transition to democracy in 1998—following the collapse of Suharto's New Order regime—weakened the ties between party organizations and grassroots voters. However, those changes also preserved a systemically important role for the leaders of political parties as gatekeepers to presidential nominations. On the one hand, decentralization and the embrace of open-list proportional representation have eroded the ability of national-level politicians to direct local-level administrative budgets and service delivery, thus inhibiting their ability to use patronage to build long-term, party-based loyalties among voters. The resulting alienation of voters from party brands made the mobilization of party organizations increasingly superfluous to a politician's ability to build an electoral support base large enough to present themselves as a viable presidential candidate. Instead, Indonesia's two directly elected presidents, Susilo Bambang Yudhoyono and Joko Widodo, established themselves as frontrunners for the presidency by using populist strategies, attracting broad electoral support via media-based,

personalistic and direct appeals to voters, rather than engaging with voters based on party loyalty or through party machines.

Yet, while the decay of voter–party ties has been instrumental in creating the strategic space for populist presidential campaigns, key features of Indonesia's electoral system have ensured that when populist candidates emerge, their presidential bids must be channelled through existing non-populist parties. The extensive legal barriers to registering new political parties and for them to get onto the legislative ballot means that it is financially and administratively costly to create the sort of electoral vehicles that have been the basis of populist presidential candidacies in other countries. The ability of presidential candidates in Indonesia to access the presidential ballot through a newly founded party or by commandeering an existing party is further inhibited by a unique "presidential threshold" (*ambang batas presiden*), which dictates that presidential candidates require the support of a party or coalition of parties that won 25 per cent of the popular vote or 20 per cent of parliamentary seats at the previous national legislative elections.

These electoral rules mean that political parties remain the gatekeepers to the presidency, imbuing them with an artificial strength at the apex of the political system that counteracts their real-world weakness, a dichotomy that has significantly impacted the form of populism of Indonesian presidents. According to Paul Kenny, Indonesia's populist presidents are only "*partial* populists" who have been "partly constrained by their legislative coalition partners".[5] The existing literature on how institutional barriers affect the autonomy of populist presidents worldwide has tended to focus on populists being "constrained" by resilient institutions and power structures once they have been installed in office.[6] In Indonesia, however, the destabilizing potential of populist rule is curtailed *ex ante* by electoral rules that force these political outsiders into power-sharing deals with political parties as a condition for gaining a nomination for the presidency.

This article therefore argues that Indonesian populism has played a crucial and underappreciated role in sustaining the systemic importance of political parties within Indonesian presidential democracy even as the bonds between parties and voters remain weak, thus ensuring the cooperation of presidents with party bosses. To operationalize this argument, the article first situates Indonesia within the comparative literature on the institutional influences on populism. It then describes Indonesia's electoral rules that counteract the effects of these institutional changes by erecting high entry

barriers and how the two directly elected presidents have dealt with them. After that, the article discusses the systemic effects of such entry barriers on the stability of Indonesia's presidentialism and how they are increasingly being challenged by civil society and political factions. Finally, the article suggests further research into the correlation between electoral rules, particularly entry barriers, and the viability and character of populism in presidential democracies.

Making Indonesia's "Weak" Parties Strong

Strong political parties are a buffer against populism. At a strategic level, they limit the number of voters that can be recruited into populist electoral coalitions. As developments in Europe, Asia and Latin America have demonstrated, a crucial precondition for the viability of populist movements is the decay of the bonds between voters and political parties that were previously reinforced by appeals to patronage, ideology or identity.[7] Moreover, to the extent that parties are the dominant vehicles for the electoral ambitions of individual politicians, they exert a disciplining effect on politicians. The role of political parties as enforcers of power-sharing norms is especially relevant in presidential systems, which typically—though, as the Indonesian system demonstrates, not universally—offer wide space for outsiders to enter office with minimal ties to incumbent parties. This is because direct presidential elections usually allow individuals to compete for the presidency without working their way up through party or parliamentary channels.[8] According to Steven Levitsky and Maxwell A. Cameron, when political parties "are strong ... politicians must work through them in order to obtain higher office and ... must cooperate with them in order to remain there". Drawing on their observations of Latin American presidential systems, they argued that political parties "are important instigators of horizontal accountability. Where they are weak and politicians gain power through direct, unmediated appeals, executives tend to govern in a personalistic and anti-institutional manner." For this reason, they concluded that political parties "play an important role in recruiting and socializing democratic elites, and thus in limiting the space available to political outsiders".[9]

In Indonesia, a hollowing out of party organizations and the alienation of voters from party brands has emerged as a consequence of the institutional changes in the wake of democratization in the late 1990s. The wide-ranging political and fiscal decentralization

that accompanied democratization resulted in subnational politics becoming dominated by local power brokers who use local patronage resources to achieve localized political goals, even if they don't align with the objectives of national-level party elites.[10] Therefore, national party leaderships are unable to build enduring electoral constituencies through the systematic delivery of patronage to voters. Parties likewise face challenges in competing for support on programmatic grounds. While there is still a meaningful divide within Indonesia's party system on Islamic and nationalist ideological lines, parties tend to be poor as vehicles for policy development or as platforms for articulating the interests of broad-based interest groups. Alongside these structural challenges, the move to fully open-list proportional representation in legislative elections in 2014 further "catalyzed the dissociation of voters from their parties".[11] Not only has grassroots politics become saturated with vote-buying,[12] but party networks, resources and brands have become secondary to the mobilization of *personalized* clientelist networks.[13] Parties' legislative caucuses are increasingly made up of self-financed candidates whose activities in office are focused on fundraising and patronage distribution to further their own localized political goals and not their parties' national objectives.

Drawing on surveys that show a presidential candidate's personal characteristics rather than their party affiliation is the major determining factor of how the Indonesian electorate votes, Saiful Mujani and R. William Liddle concluded in the wake of Indonesia's second direct presidential elections in 2009 that "Indonesian political parties no longer appear to have deep psychological roots in the electorate."[14] Rates of party identification—the proportion of voters who say they feel "close" to a particular political party—had sunk to 11 per cent in May 2022, down from 58 per cent at the time of the first direct presidential race in 2004 and 86 per cent at the first post-New Order legislative elections in 1999.[15]

Indeed, the weakness of parties is one factor that makes Indonesian democracy appear prone to destabilization at the hands of populist movements and candidates. Writing shortly ahead of the 2014 presidential elections, Dan Slater argued that Indonesia resembled Latin American democracies because it remained "structurally vulnerable to … populist strongmen and their anti-system appeals … [and because] Indonesia's party system has become destabilized before Indonesian democracy has had the opportunity to grow deep and strong social and historical roots".[16] Other scholars have emphasized how the weakness of political

parties and mass organizations in representing the interests of popular (especially lower-class) constituencies has created space for populist movements to articulate the interests of these groups.[17] Because this organizational landscape exists alongside immense socioeconomic inequality[18] and palpable public disaffection with the political elite—especially political parties—there is the sense that "the rise of an authoritarian populist ... was almost overdetermined in contemporary Indonesia".[19]

However, Indonesia's political parties are anything but weak when it comes to their ability to act as gatekeepers to executive power and their importance as the building blocks of a president's governing coalition. This is because of the process of institutional engineering in the aftermath of the fall of the Suharto regime in the late 1990s. At first, as Indonesia transitioned to democracy in 1998–99, presidents were appointed by the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat*, or MPR), a "supra legislative" supervisory chamber composed of parliamentarians from the House of Representatives (*Dewan Perwakilan Rakyat*, or DPR), the main legislative body, and various appointed members.[20] However, this system delivered neither stability nor legitimacy to presidential administrations. Islamic leader Abdurrahman Wahid was appointed president by the MPR after the first post-Suharto elections in 1999 but his chaotic presidency culminated in his impeachment two years later and the appointment of his vice-president, Megawati Soekarnoputri. Political elites soon began a move towards a more conventional presidential system with a directly elected president and a constitutional separation of powers between the executive, legislature and judiciary. A series of constitutional amendments in 2001 and 2002 established such a framework.[21] Especially significant was the Third Amendment to the Indonesian Constitution, enacted in November 2001, which mandated that the president and vice president be "elected as a single ticket directly by the people" (Article 6Ai) and that presential candidates were to be "nominated by parties or coalitions of parties which are participants in the general elections" (Article 6Aii).[22] However, these amendments left it to the DPR to determine the exact terms by which political parties could exercise the right to nominate candidates in the direct presidential elections, the first of which were held in 2004.

Despite the shift towards a more conventional presidential system, political parties were reluctant to completely weaken the role of legislative support in determining a candidate's ability

to ascend to the presidency. The 2003 Law on Presidential and Vice-Presidential Elections established a so-called "presidential threshold", requiring candidates to secure the support of a political party that had won 5 per cent of votes in the preceding legislative elections in order to appear on the presidential ballot in 2004. This threshold was supposed to be raised to 15 per cent for the 2009 presidential elections. However, ahead of the polls, which saw incumbent President Susilo Bambang Yudhoyono running for re-election, the DPR revised the threshold upwards to either 20 per cent of the popular vote or 25 per cent of seats in the DPR, a formula that was maintained in subsequent amendments as well as in the 2017 Law on Elections (which is still in effect at the time of writing).

Table 1
The Evolution of Indonesia's Electoral Barriers to Entry, 1999–2017

Legislation	Key provisions
1999 Law on Elections (3/1999)	Registered political parties need to have branches in half of all provinces and half of all municipalities within those provinces to participate in elections (Article 39[1]).
2003 Law on Legislative Elections (12/2003)	Tightened the 1999 criteria for participation in national elections. Parties have to maintain branches in two-thirds of provinces and two-thirds of municipalities within those provinces, while these branches are subject to minimum membership requirements (Article 7[1]). This rule was re-enshrined in the 2008 Law on Legislative Elections (10/2008) that superseded the 2003 legislation. Political parties that had contested the 1999 elections but won less than 2 per cent of national legislative votes or less than 3 per cent of votes in provincial and municipal legislatures in at least half of provinces and half of municipalities were prohibited from contesting the next (2004) elections unless they merged with other parties (Article 143[1]).
2003 Law on Presidential and Vice-Presidential Elections (23/2003)	Defined parties eligible to nominate presidential candidates as those which were eligible to contest legislative elections as defined by Law 12/2003 (Article 1[4]).

Table 1 (continued)

	Established the presidential nomination threshold. For the first direct presidential elections in 2004, this figure was set at 3 per cent of DPR seats won or 5 per cent of the national vote in the preceding legislative election (Article 101). In subsequent elections, presidential candidates needed the support of a party or coalition of parties that had won 15 per cent of DPR seats or 20 per cent of the national popular vote in the preceding legislative election (Article 5[4]).
2008 Law on Presidential and Vice-Presidential Elections (42/2008)	Similar to Law 23/2003, only parties that qualify as election participants (*peserta pemilu*), per laws governing legislative elections, are eligible to nominate presidential candidates (Article 1[2]). Raised the presidential nomination threshold. Presidential candidates needed the support of parties that won 20 per cent of DPR seats or 25 per cent of the popular vote at the preceding legislative election (Article 9).
2012 Law on Legislative Elections (8/2012)	Raised the requirements for eligibility for parties to contest national elections further. They had to show that they maintain branches in all provinces, in 75 per cent of municipalities within those provinces, and in 50 per cent of subdistricts (kecamatan) within those municipalities (Article 8[2]).
2017 Law on Elections (7/2017)	Replaced the 2008 Law on Presidential Elections and 2012 Law on Legislative Elections through a single piece of legislation, along with other electoral administration laws. Maintained the organizational requirements for a party to contest national elections as found in Law 8/2012 (Article 173[2]). Maintained the presidential nomination threshold of 20 per cent of DPR seats or 25 per cent of the popular vote in the preceding legislative election, as was established in Law 42/2008 (Article 222). Because of a constitutional court decision in 2013, presidential and legislative elections from 2019 onwards will be held on the same day. This was interpreted as meaning the "preceding legislative election" was the one held five years earlier.

Source: Author's own compilation.

As shown in Table 1, while thresholds for presidential candidates have limited the space for a unilateral nomination of an outsider, party registration rules have also grown more onerous. Ostensibly designed to promote broad, nationally competitive parties and to weaken localist or ethnic-centric parties, the laws that govern legislative elections now include expansive requirements on the number of local branches a party must have as well as minimum membership levels in order to be legally registered. Moreover, on top of the barriers to new party registration, the conditions for becoming an election participant have correspondingly grown more stringent. It is therefore unsurprising that the number of parties approved to contest national elections has dwindled: from 48 in 1999 to just 14 in 2019, and 17 ahead of the February 2024 elections.[23]

The Emergence of "Partial" Populism

The process of electoral-system engineering that accompanied the constitutional transition to presidentialism—designed to enforce the nexus between party support and access to the presidency—took place amid political parties' retrenchment from grassroots politics as a result of decentralization and open-list proportional representation. The declining influence of national party brands and party figures in determining the outcomes of voter behaviour has been central to creating strategic space for the mobilization of voters directly via populist appeals at the national level. The increasing viability of such strategies was evident in the first direct presidential election in 2004.

The victory of Susilo Bambang Yudhoyono, a former cabinet minister and army general, signalled that "the advent of direct presidential elections in the age of television made possible a new style of politics, in which it was possible to appeal directly to voters via the media, bypassing party machines".[24] Aided by a relatively low threshold in place at the time of the 2004 elections (see Table 1), Yudhoyono was backed by Indonesia's first successful "personal vehicle" party, the Democratic Party (*Partai Demokrat*, or PD), which was founded by his supporters in 2003 in preparation for Yudhoyono's resignation from then President Megawati Soekarnoputri's cabinet ahead of launching his presidential run. Despite PD's weak infrastructure at the grassroots level, especially compared to established parties that backed the incumbent Megawati, the 2004 presidential campaign was recognized at the time as "a

tussle between Megawati's huge political machinery and Yudhoyono's populist strategy".[25]

However, although Megawati's backers were confident in the ability of their party machines, they failed to understand that the political tide was turning because of administrative decentralization and the growing importance of personal charisma in electioneering. Decentralization began in 1999 in response to acute concerns about the power of the central state, especially after decades of the Suharto dictatorship. However, a consequence of decentralization was that local power brokers gained greater formal authority over subnational governments' budgets, thereby allowing them to build and reinforce localized networks of patronage. These networks were oriented towards rewarding their grassroots supporters with public resources and supporting the commercial interests of their campaign contributors with government contracts and favourable regulatory decisions. As a result, self-sustaining local political machines could operate with substantial autonomy from the central state and central party bosses. According to Edward Aspinall, these local political machines

> had no reason to invest their own resources in a battle for office in far-off Jakarta ...[while] local operators in party machines lacked incentives to expend their own resources for the sake of their leaders' national ambitions, and even the best oiled of such machines lacked the resources and reach necessary to deliver enough votes to capture national executive office.[26]

This reality was brought home when Yudhoyono—whose campaign was energized by an expensive team of image consultants trained in US-style political marketing tactics—performed impressively in the first round of the presidential race, coming first with 33.6 per cent of the vote. Still convinced of the natural advantages of the incumbency and their party machines, despite Yudhoyono's polling lead, an overwhelming majority of official party support flowed to Megawati in the second round. Significantly, this included the support of Golkar, Indonesia's largest and most organizationally strong party, and the former party vehicle of the New Order regime. However, Yudhoyono won the second round with 60.6 per cent of the vote.[27] The incumbent president was easily defeated by a candidate who based his campaign on the support of a party with almost no sway over regional executives or legislatures. According to Jun Honna, Yudhoyono's victory "was a personal triumph, not a party-generated one".[28]

The marginal role played by national party machines in making Yudhoyono president was more clearly seen a decade later with the rise of Joko Widodo, who unlike Yudhoyono emerged not from the Jakarta-based national establishment but from the relative margins of Indonesian national politics. As the mayor of Surakarta, a city in central Java, and then governor of Jakarta (the home of Indonesia's media), Widodo built a national image for himself by embracing a distinctively down-to-earth, problem-solving political style and adopting a self-effacing, "man of the people" persona. While he maintained a nominal affiliation with the Indonesian Democratic Party of Struggle (*Partai Demokrasi Indonesia Perjuangan*, or PDI-P), which remained under the tight personal control of former president Megawati, Widodo had little authority within the party. Most other major political parties promoted the presidential candidacies of their chairpersons, a repeat of the mistakes they made during Yudhoyono's rise.

But Widodo's lack of a power base within the party system did not inhibit his ability to rapidly establish himself as the nation's most popular politician. Private polling conducted ahead of gubernatorial elections in 2012—which Widodo won—revealed as early as October 2012 that he was the surprise frontrunner for the presidential elections scheduled for 2014.[29] He remained the frontrunner in all opinion polls ahead of the 2014 polls.[30] Significantly, he was polling well in regions where he had barely campaigned or where his nascent volunteer supporter organizations had spent little time trying to generate support for him. Instead, voters in these disparate areas of the archipelago were watching him on television—and they evidently liked what they saw. He was duly elected president in July 2014.

Yudhoyono and Widodo's ascent to power demonstrates that political parties and their machines have become largely superfluous to a politician's ability to construct broad, national support for themselves. Indeed, the rise of Yudhoyono and Widodo strongly echoes the brand of "telepopulism" that led to a wave of political outsiders winning Latin American presidential elections during the 1980s and 1990s.[31] The "tele" prefix refers to the significance of television in this process. However, derived from Ancient Greek for "far off" or "at a distance", it also symbolizes the physical distance of the candidates from grassroots campaigns and the limited presence of organized institutions in promoting their campaigns. PD drew its strength from Yudhoyono, rather than the other way around. Indeed,

as it rose to become Indonesia's largest party during Yudhoyono's first term as president, the party's cadre and legislative candidates "iconized Yudhoyono as the symbol of a new generation leader, synchronized the party identity with their icon, and gained political power by riding on his coat-tails".[32] Widodo did not create his own party or build up a personal clientele within the party that supported him, PDI-P. Instead, he maintained a relatively small but media-savvy cadre of "volunteer" (*relawan*) supporter organizations that campaigned for his presidential candidacy in 2014.

Party Gatekeeping and Coalitional Presidentialism

Although Yudhoyono and Widodo's victories owed little to the mobilization of party networks, political parties were instrumental in entrenching a system of presidential coalition-building that is marked by the formation of oversized ruling coalitions, in which the party leaders are afforded substantial influence over the president's strategic political choices. Senior members of the parties that support a presidential candidate are (if their nominee wins) routinely appointed to the cabinet, while the party leaders effectively operate as an informal supra-cabinet above the president's formal cabinet. Indeed, a central theme of the existing literature on the broad dynamics of Indonesia's presidential system has been the restraints that these coalitions of parties exert upon presidents.[33] For instance, in both of his presidential terms, Yudhoyono created an all-inclusive "rainbow" governing coalition that included almost all the parties represented in the DPR, which were rewarded with cabinet seats despite them showing inconsistent support for his administration's policies. In part, this can be attributed to his consensus-oriented and conservative temperament, which was shaped profoundly by his experience of having witnessed the implosion of Abdurrahman Wahid's presidency as well as an exaggerated fear of impeachment that led him to believe that he needed as broad a governing coalition as possible in order to safeguard his position.[34]

Despite most established parties being incorporated into Yudhoyono's governing coalition during his first term in office, their parliamentary caucuses again tinkered with the electoral rules to maximize their leverage over him as he sought re-election in 2009. With early polling showing that Yudhoyono was likely to cruise to victory, in 2008 the DPR revised the 2003 Law on Presidential and Vice-Presidential Elections to increase nomination thresholds for

the following year's elections, meaning that a presidential candidate needed support from parties that had won at least 20 per cent of the national vote or 25 per cent of seats in the DPR. On paper, this made it more difficult for Yudhoyono's PD to unilaterally renominate him for the presidency. However, the PD won just over 20 per cent of the popular vote at the April 2009 legislative elections, held four months before that year's presidential polls. This meant it could, technically, once again nominate its leader without entering into a coalition. As the clear frontrunner, however, Yudhoyono accepted the nomination of several other parties that had bandwagoned on his re-election campaign. His challengers—Megawati, the former president, and Jusuf Kalla, Yudhoyono's vice-president at the time—each ran with the nomination of the parties they chaired, PDI-P and Golkar, respectively. Yudhoyono won a landslide victory and subsequently recreated the "rainbow coalition" of his first term.

Whereas Yudhoyono had room for manoeuvre by commanding a personal vehicle party, Joko Widodo's rise to national prominence more starkly illustrates how increasingly strict barriers to electoral participation limit the political options of populists who emerge from outside the national political elite. Changes to the electoral system made during Yudhoyono's presidency—in particular, tightened party registration rules and increased presidential nomination thresholds—proved to be a significant barrier to Widodo replicating his predecessor's path to the presidency and established the conditions for a clash between the populist dynamics that underpinned Widodo's ascent to national fame and the realities of coalition-building the electoral system mandates.

Whereas Yudhoyono's allies had founded PD in advance of his declaration of his presidential candidacy, Widodo's quick rise to popularity—to the extent that he was the clear frontrunner for the presidency a year before the elections—meant he lacked the time to create his own party, owing to the deadlines embedded in party registration and ballot access rules. Therefore, the most expedient option was for him to anchor his 2014 presidential bid on the nomination of the nationalist PDI-P, with which he had maintained a nominal affiliation since entering local politics in 2005. Yet, as mentioned above, Widodo had no power base within the party. His only official role was a symbolic single term on the party's Central Java provincial executive. As he became a national political figure, however, Widodo faced stiff opposition from PDI-P

elites who feared that the rise of this populist outsider could disrupt their long-established power hierarchies within the party. Instead, Widodo concentrated on winning the support of PDI-P's chairperson, Megawati. However, by having to prove his reliability to the party, he had to adopt a different public persona than the one that had thrust him to national fame. In time, this would limit his room for manoeuvre once he became president.

As he sought PDI-P's nomination, Widodo began to appear at party events in the party's uniform, oftentimes making ostentatious displays of fealty to Megawati. Once he was formally announced as the party's presidential nominee in the run-up to the legislative elections in March 2014, he was sent on the campaign trail to boost PDI-P's support. However, he was forbidden by the party leadership from making his own campaign announcements, forcing him to subsume his own personal brand for the sake of the party brand as he was flown across the country to legislative campaign rallies.[35] However, at the legislative elections, PDI-P fell short of the required percentage threshold needed to nominate Widodo for the presidency, meaning that he had to seek a coalition with other parties. As part of the deal to establish his nominating coalition in 2014, he was not allowed to choose his own running mate. Instead, he agreed to run alongside Yusuf Kalla, a former vice-president and businessman. On the campaign trail, Widodo made promises that, if he won, he would not follow the established practice of "handing out seats" (*bagi-bagi kursi*) to the parties that supported him, while also telling voters that he had formed the smallest coalition possible.[36] Yet, after Widodo won the presidency, the parties that supported him demanded the sort of favours they thought they deserved. Two days after his inauguration as president, Widodo had to postpone the announcement of his cabinet after PDI-P protested against the appointment of some of the ministers.[37] When Widodo eventually announced his first cabinet several days later, it was composed almost entirely of ministers selected for him by his party coalition partners.[38] Throughout his two-term presidency, Widodo has replicated the example of his predecessor by maintaining oversized coalitions and entrenching the institutionalization of coalition party chairpersons as part of an informal cabinet, which is consulted on major strategic political decisions.[39] Widodo's alliance with the political parties—forced upon him by the gatekeeping role given to them by the electoral system—has compromised more than just the style of his subtle anti-establishment appeal. In substantial terms,

they have set a precedent for significantly limiting his political room for manoeuvre once the election was over.

Barriers and "Partial Populism"

To what extent can the central role of political parties as building blocks of presidents' governing coalitions, despite the rise of populist outsiders to the presidency, be attributed to the opportunities, limits and incentives created by the electoral system barriers described above? While these barriers may well be *sufficient* factors in sustaining the key role of political parties in the system, they may not be *necessary* ones. Indeed, it is perfectly plausible that there is a range of structural, institutional and ideological factors that sustain the role of political parties as part of a presidential coalition without the *de facto* necessity of broad party coalitions created by electoral rules. One factor is common to all presidential systems: presidents have an interest in maintaining the support of legislatures.[40] Presidential thresholds in Indonesia are often justified—including by Widodo himself—on the argument that they guarantee a minimum base of support for a president's administration within the DPR. During deliberations over Indonesia's most recent electoral law change in 2017, Widodo declared that if the threshold "is zero per cent, then one nominating party wins, just imagine how it would be in the DPR. We [his own administration] were at 38 per cent before [sic], and wow! This is the political process that the public has to understand."[41]

However, it is far from self-evident that, even in the absence of rules that effectively require multi-party coalitions, presidents would form them anyway because of the need to secure support for their budgets and legislation. According to a recent analysis of executive-legislative relations during Widodo's tenure as president, the indispensability of co-opting parties into his cabinet as a way to ensure the smooth functioning of the legislature may have been exaggerated. Yuna Farhan's research into the politics of budget-making in the DPR demonstrates that Indonesian presidents are, in fact, able to pass contentious legislation through parliament even when their nominating coalition has a notional minority in the chamber. Such an outcome is made possible because of the president's ability to secure the support of non-government parties—either their parliamentary caucus or their organizational apparatus—through the informal offer of funds and patronage.[42]

So what is actually being protected by the system of entry barriers if Indonesian presidents do not need to co-opt party leaders to secure access to new electoral constituencies or to "buy" legislative support with positions in the executive for party grandees? In reality, the entry barriers bind presidents to the *organizational* leaderships of parties, as opposed to their parliamentary caucuses, in a way that gives those party leaders artificial, systemic significance as members of a president's elite support coalition. Without these electoral barriers to entry, it would be possible for a populist presidential candidate to unilaterally nominate themselves for the presidency with the support of their own personal vehicle party or by securing the support of a single established party. In such a scenario, presidential hopefuls would be free to choose the party that makes the least onerous demands on them in exchange for a nomination. Moreover, post-election support from the legislature may well be secured on an ad-hoc basis, with parliamentarians being incentivized to deliver legislative support for a president's policies in return for patronage resources and other favours. The inclusion of party representatives into the cabinet could also occur, but it would likely arise from post-electoral bargaining around support for administration policies, budgets and personnel appointments. As such, in this scenario, the president would maintain greater leverage over the political parties than is the case under the current system, where the pre-election formation of such coalitions between presidential candidates and parties is effectively mandated by electoral rules.

Contesting the Presidential Threshold

The idea that entry barriers in the Indonesian electoral system—in particular, the presidential threshold mechanism—give political parties illegitimate influence over presidents has been central to debates about the design of the electoral system. These sentiments are encapsulated in an editorial by the liberal news magazine *TEMPO*, which argued in the lead-up to the February 2024 presidential elections that the presidential threshold "forecloses the emergence of alternative [presidential] candidates", and that by creating a marketplace for their nominations, it sustains the political influence of "small and mediocre" parties.[43] The sentiments have been embodied in civil society groups' advocacy against the threshold. Perludem, a high-profile non-governmental organization (NGO) focused on electoral institutions, has been at the forefront

of the criticism of the presidential threshold mechanism and has joined several NGO leaders and a former electoral commissioner in mounting an unsuccessful Constitutional Court challenge in 2022 that sought to abolish the thresholds.[44] As concerns grow about the potential for presidential elections to become sources of partisan and ideological polarization,[45] a new rationale for moving away from the presidential thresholds has emerged. Many voices within civil society and the commentariat now argue that a more diverse selection of presidential candidates would stop the trend of two-horse presidential races, which are purported to cause polarization.[46] In response, some party elites have argued that their ability to limit the field of potential presidential candidates is precisely the point of the nomination threshold. Hasto Kristyanto, the PDI-P's secretary-general, has compared the nomination system to an "entrance exam" for a "renowned university".[47] Another senior PDI-P official and lawmaker has argued for increasing the threshold to 30 per cent—it was unclear if this referred to a proportion of the popular vote or parliamentary seats—to ensure even stronger bonds between the presidency and legislative factions in parliament.[48]

There are also advocates of change within the party and state elite itself. Senior officials of former president Yudhoyono's PD, which has been in opposition throughout the Widodo presidency, have echoed the criticisms from civil society and the progressive press in arguing for the abolition of the presidential threshold on the basis that "the people should be given more alternative presidential candidates of extraordinary quality. Not just being forced to choose between the two tickets offered to them by oligarchic groups."[49] Firli Bahri, the head of the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi*, or KPK), has said that presidential thresholds raise corruption risks, given that there is an incentive to offer cash in exchange for a party's presidential nomination, which potentially leaves candidates beholden to corrupt relationships with donors.[50] La Nyala Mutatulli, the chair of the Regional Representatives Council, the second chamber of parliament, has also echoed progressive circles in arguing that presidential thresholds, as they currently are, risk "creating puppet presidential candidates".[51] The thresholds have also been the subject of numerous challenges to their constitutionality. In multiple lawsuits filed to the Constitutional Court, appellants have argued that because the thresholds serve to artificially limit the number of presidential candidates on the ballot, they conflict with the right to stand for

office that is guaranteed to citizens by the Indonesian Constitution.[52] Yet the court has consistently declared that the Constitution gives extensive leeway to the DPR to determine the terms under which political parties can exercise their constitutional prerogative to nominate presidential candidates. At the time of writing, the judicial pathway to reform appears exhausted.

Conclusion

Since Indonesia introduced direct presidential elections in 2004, populist strategies have become effective ways for presidential aspirants—who have emerged from the military, the private sector and local politics, rather than from within political parties—to build their own national electoral support base without the burdens of party-building and the subsequent mobilization of party or other organizational machines to generate electoral support. At the same time, the exceptionally high barriers to party registration and presidential candidacies have given established parties an effective blockade on nominations, thereby enhancing their bargaining power over presidential candidates. As a result, Indonesia's political parties are afforded artificial, systemic strength at the apex of the political system that, to a significant extent, counteracts their weakness and inability to influence the behaviour of voters through patronage or ideological-based appeals. This elite-level systemic strength is sufficient to ensure Indonesian presidential populism remains marked by the pursuit of cooperation with political parties.[53]

Indonesia's situation offers a basis from which to reconsider some of the theoretical observations about the relationship between the decline of political parties and the rise of populists. This article suggests that it is not the weakness of political parties *per se* that enables the rise of populism but rather the *combination* of weakening party–voter bonds and the inability of established parties to use legal or institutional levers to block newcomers or domesticate them in established political norms. In addition to this, the article also seeks to expand our understanding of what institutional buffers there could be to prevent populism from destabilizing democratic polities. Indonesia is by no means unique in incentivizing presidential candidates to establish coalitions with parties in advance of elections—a "down payment" on legislative support.[54] However, the Indonesian system precludes the possibility of populists capturing the presidency without engaging in pre-election

bargains or alliances with incumbent parties, thus ensuring that populists conform to power-sharing norms once in office.

In the Indonesian context, the effects of electoral barriers on the quality of democracy are not clear-cut. It may be the case that Indonesian democracy would benefit from greater competition between more candidates or from the weakening of the leverage that established parties have over presidential candidates. Indeed, many Indonesian civil society groups—and even some politicians—have made this case and challenged entry barriers as being unconstitutional. Yet, at the very least, the barriers have been a sufficient factor in preventing the disruption of Indonesian coalitional presidentialism by anti-establishment outsiders. With the rise of populists considered to be a key element in the global crisis of democracy, the Indonesian case suggests that the role electoral entry barriers play in influencing the viability of populist politics and the forms that populism takes when it does emerge should be a more prominent focus in comparative studies. A theorization of entry barriers in presidential systems, ways of comparing their stringency across countries and examining their influences on the viability of populist politics are all fruitful lines of enquiry for future studies.

NOTES

1 Kurt Weyland, "Clarifying a Contested Concept: Populism in the Study of Latin American Politics", *Comparative Politics* 34, no. 1 (2001): 14. In this understanding, "populist" discourses and the ideologies that purportedly lie behind them are merely instrumental to the establishment and maintenance of that support rather than being constitutive elements of populism.

2 Paul Kenny, *Populism in Southeast Asia* (Cambridge, UK: Cambridge University Press, 2018), p. 3.

3 Allen Hicken, "Indonesia's Democracy in a Comparative Perspective", in *Democracy in Indonesia: From Stagnation to Regression?*, edited by Thomas P. Power and Eve Warburton (Singapore: ISEAS – Yusof Ishak Institute, 2020), p. 38.

4 Scott Mainwaring and Timothy R. Scully, "Introduction: Party Systems in Latin America", in *Building Democratic Institutions: Party Systems in Latin America*, edited by Scott Mainwaring and Timothy R. Scully (Stanford, CA: Stanford University Press, 1995), pp. 20–23.

5 Kenny, *Populism in Southeast Asia*, p. 8.

6 Julio F. Carrión, *A Dynamic Theory of Populism in Power: The Andes in Comparative Perspective* (Oxford, UK: Oxford University Press, 2022), pp. 45–51.

[7] Paul Kenny, *Populism and Patronage: Why Populists Win Elections in India, Asia and Beyond* (Oxford, UK: Oxford University Press, 2017); Darin Self and Allen Hicken, "Why Populism? How Parties Shape the Electoral Fortunes of Populists", V-Dem Working Paper no. 76 (Gothenburg, Sweden: V-Dem, September 2018), p. 7.

[8] Mainwaring and Scully, *Building Democratic Institutions: Party Systems in Latin America*, pp. 20–23.

[9] Steven Levitsky and Maxwell A. Cameron, "Democracy Without Parties? Political Parties and Regime Change in Fujimori's Peru", *Latin American Politics and Society* 45, no. 3 (2003): 4.

[10] The landmark 1999 Law on Regional Government (*Undang-Undang Pemerintahan Daerah*), which introduced a radical devolution of fiscal and bureaucratic authority, was passed less than a year after the resignation of Suharto "in the shadow of a national crisis and the prospect of national disintegration" (Harold Crouch, *Political Reform in Indonesia after Soeharto* (Singapore: ISEAS – Yusof Ishak Institute, 2010), p. 87). While decentralization was initially embraced to defuse regional demands for political autonomy and greater inter-regional economic equity, in the years since it has remained in place largely because of the emergence of local elites as a significant interest group who have successfully limited the extent of the central government's efforts to increase its authority and oversight over local leaders. See Marcus Mietzner, "Indonesia's Decentralization: The Rise of Local Identities and the Survival of the Nation State", in *Regional Dynamics in a Decentralized Indonesia*, edited by Hal Hill (Singapore: ISEAS – Yusof Ishak Institute, 2014), pp. 45–67.

[11] Marcus Mietzner, *Money, Power and Ideology: Political Parties in Post-Authoritarian Indonesia* (Singapore: NUS Press, 2013), p. 43.

[12] Burhanuddin Muhtadi, *Vote Buying in Indonesia: The Mechanics of Electoral Bribery* (London, UK: Palgrave Macmillan, 2018), pp. 3–7.

[13] See the contributions in *Electoral Dynamics in Indonesia: Money Politics, Patronage and Clientelism at the Grassroots*, edited by Edward Aspinall and Mada Sukmajati (Singapore: NUS Press, 2016). What shines through, despite some regional variations, is the fundamental uniformity of the emergence and character of the patterns of money politics in Indonesia, which speaks to the common influence of institutional frameworks in structuring political competition in what are often highly differentiated local economic and demographic realities.

[14] Saiful Mujani and William R. Liddle, "Indonesia: Personalities, Parties, and Voters", *Journal of Democracy* 32, no. 4 (2010): 41.

[15] Figures for 1999 and 2022 are from Djayadi Hanan, "Stable but Uprooted? The Trajectory of Indonesia's Multiparty System" (paper presented at Indonesia Council Open Conference, Sydney, 26–27 September 2023); figures for 2004 and 2019 are from Burhanuddin Muhtadi, "Money Politics and Electoral Dynamics in Indonesia: A Preliminary Study of the Interaction Between 'Party-ID' and Patron–Client", *Jurnal Penelitian Politik* 10, no. 1 (2013): 49.

[16] Dan Slater, "Unbuilding Blocs: Indonesia's Accountability Deficit in Historical Perspective", *Critical Asian Studies* 46, no. 2 (2014): 292.

[17] See Max Lane, *An Introduction to the Politics of the Indonesian Union Movement* (Singapore: ISEAS – Yusof Ishak Institute, 2019); Edward Aspinall, "Still an

Age of Activism", *Inside Indonesia*, 23 January 2012; Edward Aspinall, "Popular Agency and Interests in Indonesia's Democratic Transition and Consolidation", *Indonesia* 96 (2013): 101–21; Vedi R. Hadiz and Richard Robison, "The Political Economy of Oligarchy and the Reorganization of Power in Indonesia", *Indonesia* 96 (2013): 35–57.

[18] Eve Warburton, "Inequality, Nationalism and Electoral Politics in Indonesia", *Southeast Asian Affairs* (2018): 135–52; Burhanuddin Muhtadi and Eve Warburton, "Inequality and Democratic Support in Indonesia", *Pacific Affairs* 93, no. 1 (2020): 31–58.

[19] Edward Aspinall, "Oligarchic Populism: Prabowo Subianto's Challenge to Indonesian Democracy", *Indonesia* 99 (2015): 3.

[20] Donald L. Horowitz, *Constitutional Change and Democracy in Indonesia* (New York, NY: Cambridge University Press, 2013), p. 40. After 2002 the appointed positions were abolished. Members of the Dewan Perwakilan Daerah, a new chamber of parliament, established in 2004, now supplies the MPR with its membership alongside the DPR.

[21] Horowitz, *Constitutional Change and Democracy*; Crouch, *Political Reform in Indonesia.*

[22] Unofficial translation of the 1945 Constitution of the Republic of Indonesia, available at https://jdih.bapeten.go.id/unggah/dokumen/peraturan/116-full.pdf.

[23] The number of parties attaining representation in the DPR has been further limited by the application of a parliamentary threshold that subsequent iterations of electoral laws have set at 2.5 per cent of the popular vote in 2009, 3.5 per cent in 2014 and 4 per cent from 2019 onwards. This threshold, alongside party registration rules, has seen the number of parliamentary factions decline from 21 in the parliament elected in 1999 to just nine in the parliament elected in 2019.

[24] Edward Aspinall, "Elections and the Normalization of Politics in Indonesia", *South East Asia Research* 13, no. 2 (2005): 142.

[25] Andreas Harsono, "Political Machine Vies with an Ex-General's "Populism"', *andreasharsono.net*, 30 August 2004, http://www.andreasharsono.net/2004/08/political-machine-vies-with-ex.html.

[26] Aspinall, "Elections and the Normalization of Politics", pp. 146–47.

[27] Mietzner, *Money, Power, Ideology*, p. 148.

[28] Jun Honna, "Inside the Democrat Party: Power, Politics and Conflict in Indonesia's Presidential Party", *South East Asia Research* 20, no. 4 (2012): 478.

[29] Author interview with Hasan Nasbi Batupahat, director of Cyrus Network polling agency, Jakarta, August 2014.

[30] Marcus Mietzner, "Reinventing Asian Populism: Jokowi's Rise, Democracy, and Political Contestation in Indonesia", *Policy Studies* 72 (2015): 29; Edward Aspinall, Marcus Mietzner, and Dirk Tomsa, "The Moderating President: Yudhoyono's Decade in Power", in *The Yudhoyono Presidency: Indonesia's Decade of Stability and Stagnation*, edited by Edward Aspinall, Marcus Mietzner and Dirk Tomsa (Singapore: ISEAS – Yusof Ishak Institute, 2015), p. 5.

[31] This term was first used in passing in reference to the politics of the former Brazilian president, Fernando Collor de Mello, in Ben Ross Schneider, "Brazil

Under Collor: Anatomy of a Crisis", *World Policy Journal* 8, no. 2 (1991): 324. It was explored further in Taylor C. Boas, "Television and Neopopulism in Latin America: Media Effects in Brazil and Peru", *Latin American Research Review* 40, no. 2 (2005): 27–49. Here, Boas writes of the generation of Latin American populists, of which Collor was a part, that "[b]y speaking in the vernacular, dressing casually, espousing an affinity for popular styles of music or sports, and engaging in showy, spectacle-filled campaigns that emphasize their charismatic qualities, neopopulist candidates make the large masses of poor voters more likely to identify with and support them" (p. 31). The parallels between this "telepopulist" style of politics and Joko Widodo's on his rise to national prominence are unmistakeable.

[32] Jun Honna, "Inside the Democrat Party: Power, Politics and Conflict in Indonesia's Presidential Party", *South East Asia Research* 20, no. 4 (2012): 474.

[33] The most useful explorations of the dynamics of Indonesian presidentialism are available in Dirk Tomsa, "Regime Resilience and Presidential Politics in Indonesia", *Contemporary Politics* 24, no. 3 (2018): 266–85; Marcus Mietzner, *The Coalitions Presidents Make: Presidential Power and Its Limits in Democratic Indonesia* (Ithaca, NY: Cornell University Press, 2023).

[34] Marcus Mietzner, "From Autocracy to Coalitional Presidentialism: The Post-Authoritarian Transformation of Indonesia's Presidency", *Kyoto Review of Southeast Asian Studies*, 29 August 2018, https://kyotoreview.org/issue-24/autocracy-to-coalitional-presidentialism-of-indonesias-presidency/.

[35] Liam Gammon, "Jokowi the Party Man", *New Mandala*, 1 April 2014, www.newmandala.org/jokowi-the-party-man/.

[36] Author notes of campaign speeches made by Joko Widodo in West Java and East Java, April–June 2014.

[37] Jobpie Sugiharto, Pramono, Sunudyantoro, Tika Primandari, Indra Wijaya, Reza Aditya, Ananda Teresia, and Andri El Faruqi, "Ke Kabinet Tak Sampai" [Didn't Make It to Cabinet], *Majalah TEMPO*, 3 November 2014.

[38] Edward Aspinall, "Jokowi Fails His First Test", *New Mandala*, 27 October 2014.

[39] See Mietzner, "From Autocracy to Coalitional Presidentialism".

[40] Paul Chaisty, Nic Cheeseman and Timothy J. Power, *Coalitional Presidentialism in Comparative Perspective: Minority Presidents in Multiparty Systems* (Oxford, UK: Oxford University Press, 2018).

[41] Ahmad Zulfikar Fazli, "Jokowi Heran Presidential Threshold Dipermasalahkan" [Jokowi Surprised the Presidential Threshold Is Questioned], *Medcom.id*, 28 July 2017, sttps://www.medcom.id/nasional/politik/9K5j970N-jokowi-heran-presidential-threshold-dipermasalahkan/.

[42] Yuna Farhan, "The Politics of Budgeting in Indonesia" (PhD dissertation, University of Sydney, 2018).

[43] *TEMPO* Magazine, "Jebakan Presidential Threshold" [The Presidential Threshold Trap], *Majalah TEMPO*, 10 September 2023, https://majalah.tempo.co/read/opini/169687/jebakan-presindetial-threshold.

[44] Reni Lestari, "Resmi! Perludem dan Kode Inisiatif Daftarkan Gugatan UU Pemilu ke MK" [It's Official! Perludem and Kode Inisiatif Register Challenge

to Election Law at Constitutional Court], *Okezone.com*, 6 September 2017, https://nasional.okezone.com/read/2017/09/06/337/1770424/resmi-perludem-dan-kode-inisiatif-daftarkan-gugatan-uu-pemilu-ke-mk.

45 Diego Fossati, "The Resurgence of Ideology in Indonesia: Political Islam, Aliran and Political Behaviour", *Journal of Current Southeast Asian Affairs* 38, no. 2 (2019): 119–48.

46 Ghina Ghalia, "Experts, House Suggest Lower Presidential Nomination Threshold", *The Jakarta Post*, 4 July 2020, https://www.thejakartapost.com/news/2020/07/03/experts-house-factions-suggest-lower-presidential-nomination-threshold.html; Markus Junianto Sihaloho, "Tingginya Presidential Threshold Buat Masyarakat Terbelah di Pemilu" [High Level of Presidential Threshold Makes Community Divided at Elections], *Berita Satu*, 8 September 2021, https://www.beritasatu.com/politik/824533/tingginya-presidential-threshold-buat-masyarakat-terbelah-di-pemilu.

47 Delvira Hutabarat, "PDIP Dukung Presidential Threshold: Ibarat Ujian Masuk Universitas Berkualitas" [PDI-P Supports the Presidential Threshold: Akin to Entry Exam at Quality University], *Merdeka.com*, 8 January 2022, https://www.merdeka.com/politik/pdip-dukung-presidential-threshold-ibarat-ujian-masuk-universitas-berkualitas.html.

48 Fossati, "The Resurgence of Ideology in Indonesia".

49 Dwi Bowo Rahardji and Bagaskara Isdiansyah, "Tolak Presidential Threshold 20 Persen, Demokrat: Untuk Apa Ada Pemilu Kalaua Perkuat Oligarki?" [Rejecting 20 Per Cent Presidential Threshold, Democrats: Why Have Elections If They Reinforce Oligarchy?], *Suara.com*, 7 January 2022, https://www.suara.com/news/2022/01/07/105808/tolak-presidential-threshold-20-persen-demokrat-untuk-apa-pemilu-kalau-perkuat-oligarki.

50 Fana Suparman, "Firli: Presidential Threshold 0% Hilangkan Balik Modal dan Balas Budi Politik" [Firli: Zero Per Cent Presidential Threshold Would Eradicate Quid Pro Quo and Political Binds of Loyalty], *Investor.id*, 15 December 2021, investor.id/national/274586/firli-presidential-threshold-0-hilangkan-balik-modal-dan-balas-budi-politik.

51 Nicholas Ryan Aditya, "UU Pemilu Tak Akan Direvisi Untuk Wacana Presidential Threshold, Puan Minta Keputusan DPR Dihormati" [Election Law Will Not Be Revised for the Sake of Presidential Threshold Debate, Puan Asks That DPR's Decision Is Respected], *Kompas.com*, 16 December 2021, https://nasional.kompas.com/read/2021/12/16/17402181/uu-pemilu-tak-akan-direvisi-untuk-wacana-presidential-threshold-puan-minta.

52 Imam Hamdi, "Mengulang Gugatan Ambang Batas Pencalonan" [Repeating the Challenge to the Nomination Threshold], *Koran Tempo*, 20 December 2021, https://koran.tempo.co/read/nasional/470437/mengapa-presidential-threshold-terus-digugat.

53 Kenny, *Populism in Southeast Asia*, p. 8.

54 Carrión, *A Dynamic Theory of Populism in Power*; Saskia Pauline Ruth, "Populism and the Erosion of Horizontal Accountability in Latin America", *Political Studies* 66, no. 2 (2018): 356–75.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 465–93 DOI: 10.1355/cs45-3l

ISSN 0129-797X print / ISSN 1793-284X electronic

From "Joint Development" to "Independent Development": China's Hydrocarbon Standoffs in the South China Sea

SHUXIAN LUO

Some of Beijing's recent assertive actions in the South China Sea can be understood as a manifestation of what Chinese analysts call "independent development". The concept is conceived as a responsive measure to what Beijing views as other claimants' unilateral hydrocarbon development activities in the South China Sea and as a means to pressure other claimants into engaging in joint development with China and to compensate for what Beijing perceives as the disadvantages it faces being a latecomer to the energy development race in the region. In attempting to conduct independent development, China has mostly targeted areas of the South China Sea that overlap with Vietnam's designated oil and gas development blocks. By contrast, when dealing with the Philippines, especially during the presidency of Rodrigo Duterte (2016–22), China has adopted the more loosely defined concept of "cooperative development" to minimize potential legal and political barriers that Philippine leaders may face domestically. With Malaysia, China has traditionally been ambivalent to the prospect of joint development but may increasingly utilize independent development to nudge Malaysia into starting a serious discussion on joint development. However, pursuing independent development does not portend China's abandonment of joint or cooperative development. Indeed, there remains hope for regional collaboration in hydrocarbon development in the South China Sea.

Keywords: South China Sea, energy, China, Vietnam, Philippines, Malaysia.

Shuxian Luo is Assistant Professor in the Department of Asian Studies, University of Hawai'i. Postal address: Moore Hall 416, 1890 East-West Road, Honolulu, HI, 96822-2234, United States; email: freewindpku2007@gmail.com.

There are an estimated 11 billion barrels of oil reserves and 190 trillion cubic feet of natural gas reserves in the South China Sea, as of 2019.[1] The economic value of these resources is considerable for claimants such as Vietnam—for which crude oil is a vital commodity for exports—and the Philippines—which imports most of its crude oil and which will exhaust its only natural gas field, Malampaya, by 2027.[2] However, the most significant value of the hydrocarbons is political because how they are allocated has implications not only for the competing maritime claims in the region but also for the fundamental principles of the international law of the sea.[3] Over the past decade, China and the other claimants in the South China Sea—Vietnam, the Philippines, Malaysia, Taiwan and Brunei—have engaged in standoffs involving their warships, coast guard and militia vessels, and fishing boats. Increasingly, these incidents have involved marine survey ships and energy exploration and production (E&P) assets. In 2014, China triggered a tense standoff with Vietnam after deploying the Haiyang Shiyou 981 (HYSY-981), a deepwater drilling platform, to the waters south of the Paracel Islands, which China controls but over which Vietnam also claims sovereignty.[4] In 2019, in response to Vietnam's placement of a Russian-operated oil rig at Vanguard Bank—which lies inside Vietnam's claimed 200-nautical mile exclusive economic zone (EEZ)—China deployed its Haiyang Dizhi 8 (HYDZ-8) survey ship, prompting another standoff that lasted for several months.[5] The following year, the HYDZ-8 was deployed to Malaysia's claimed EEZ, initiating a month-long standoff with a Malaysia-contracted drillship off the coast of Sabah State.[6] In May 2023, China deployed another research vessel, the Xiang Yang Hong 10 (XYH-10), to Vanguard Bank in response to Vietnam's decision to expand its drilling programme in a nearby oil and gas block, sparking a confrontation involving government vessels from the two countries.[7]

Because authoritative Chinese government sources have never clearly stated China's intention behind repeatedly confronting the hydrocarbon development projects of rival claimants, observers of the South China Sea disputes have been left to speculate about Beijing's motives. For example, Isaac Kardon argues that China intends to establish its "veto jurisdiction" in the region, reserving the right to disrupt other claimants' hydrocarbon development projects while remaining "indifferent" sometimes to exploiting its claimed resources.[8] Greg Poling, meanwhile, has noted that Beijing wants to shut down other claimants' drilling operations

in specific blocks of the South China Sea.[9] James Manicom has posited that China seeks to "ensure that any economic activity in a Chinese-claimed part of the South China Sea occurs on Beijing's terms" and that China began to take actions to achieve this goal after gaining the necessary capabilities, such as deepwater drilling equipment.[10] However, these observations raise broader questions: Does China's pattern of behaviour suggest a fundamental departure from its traditional policy of pursuing joint development? If China's behaviour is changing, what are the implications for stability in the Indo-Pacific region and on the ongoing negotiations for a Code of Conduct (CoC) in the South China Sea? Additionally, are the timings and locations of these standoffs randomly picked or meticulously chosen?

Based on an analysis of Chinese-language open sources, this article argues that Beijing's actions can be understood as a manifestation of what those sources refer to as "independent development". The phrase "自主[*zizhu*] 开发[*kaifa*]" translates directly as "independent development", with the key characters "自主" conveying the notion of being self-reliant or independent. In the context of the South China Sea disputes, particularly related to the contentious hydrocarbon resources, independent development essentially means to go it alone or take a unilateral approach to developing those resources. This connotation stands in contrast to the concepts of "joint development" (共同开发) or "cooperative development" (合作开发) that Beijing has traditionally advocated. Chinese scholars define "joint development" as a situation when maritime boundary disputes are temporarily set aside—without affecting the parties' claims—and the disputants agree to jointly explore, develop and share any hydrocarbons found in the disputed areas.[11] "Cooperative development" is defined more loosely as activities that are conducted in areas *with or without boundary disputes*, that involve either states or private companies and that align with the laws of one claimant state if the development occurs within a disputed area.[12]

This article also shows that the Chinese analytic community conceives independent development as a retaliation against what China views as other claimants' unilateral hydrocarbon development in the South China Sea, such as Vietnam's E&P projects at Vanguard Bank. Moreover, it is intended to pressure the other claimants to engage in joint development schemes with China and as a way for China to compensate for what it views as its disadvantages in being a latecomer to the hydrocarbon development race in the region. However, pursuing independent development does not mean China

is abandoning joint or cooperative development. Indeed, Beijing has persistently pushed Vietnam to engage in joint development and has targeted areas that largely overlap with Vietnam's designated blocks for China's independent development attempts. Regarding the Philippines, especially during the presidency of Rodrigo Duterte (2016–22), China has pursued a strategy of promoting cooperative development, albeit unsuccessfully, to minimize potential legal and political barriers that Philippine leaders might face domestically. As for Malaysia, China has remained relatively ambivalent on the prospect of joint development but may increasingly use independent development to nudge Kuala Lumpur into starting serious discussions on this matter.

This article proceeds as follows. The first section explores the circumstances precipitating the push for independent development and explains how Chinese analysts conceive it in relation to the traditional policy of joint development. The second part explains how China differentiates between the multiple rival claimants in the South China Sea and chooses locations and timing for independent development. The third section examines different modalities proposed by Chinese analysts for implementing independent development. It concludes with a discussion of the implications of China's pursuit of independent development, especially for the ongoing CoC negotiations.

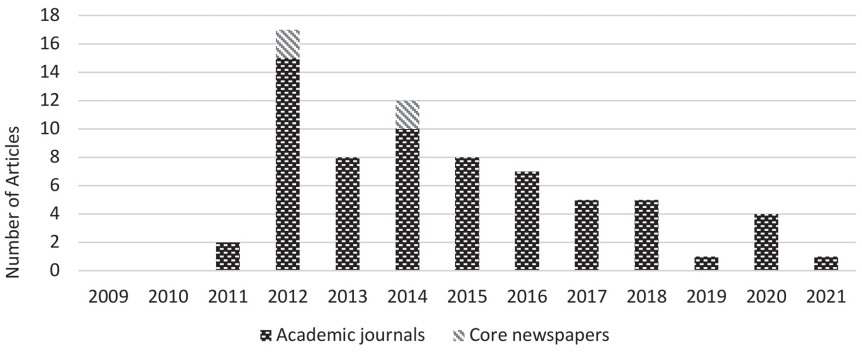
The Rationale and Push for "Independent Development"

Chinese scholars began to discuss the idea of independent development in 2011, and interest in this topic expanded considerably in 2012 (see Figure 1). The emergence of the discourse is due to a confluence of two concurrent trends.

On the one hand, in China's perception, the prospect of pursuing joint development projects with other claimants was diminishing as a result of a string of events. Specifically, in 2005, China, Vietnam and the Philippines agreed to collaboratively survey an area of the South China Sea, culminating in a tripartite accord, the Joint Marine Seismic Undertaking (JMSU), as a step towards joint development; however, this accord was allowed to expire in 2008, in part because of political controversies within the Philippines at the time about the constitutionality of the collaborative process.[13] In 2009, Vietnam and Malaysia made a joint submission to the United Nations Commission on the Limits of the Continental Shelf (UNCLCS) claiming an extended continental shelf in the South China

Sea, which in effect eliminated their overlapping EEZ claims with China that could have been the basis for joint development, thus invalidating the rationale on which China had made its case for joint development in the region.[14] In response, China submitted a *note verbale* asserting "indisputable sovereignty" over this area and presented a map depicting the "nine-dash line" that Beijing uses to make these claims. As tensions escalated, in 2011, Chinese vessels cut the cables of Vietnamese seismic ships at Vanguard Bank and interfered with a Philippine seismic survey vessel operating at Reed Bank.[15] At that time, China's military and paramilitary activities in the South China Sea, as well as its diplomatic rhetoric, became increasingly assertive. However, Chinese analysts and officials were also increasingly complaining that Beijing wanted to set aside the disputes and pursue joint development. But, they claimed, it was the other claimants—especially Vietnam, the Philippines and Malaysia—who were taking advantage of China's goodwill and exploiting hydrocarbon resources in the South China Sea which Beijing perceived as its own. In 2011, for instance, a former official of the state-owned China National Offshore Oil Corporation (CNOOC), China's largest offshore oil and gas producer, criticized Beijing's traditional prioritization of maintaining stability on China's periphery at the expense of the country's maritime rights and interests: "If we passively wait for other claimants to pursue joint development with us, that will never happen."[16]

Figure 1
Reference to "Independent Development" in the Discussion of Hydrocarbon Conflict in China's Maritime Disputes in Chinese Academic Journals and Core Newspaper Articles



Source: China National Knowledge Infrastructure (CNKI).[17]

On the other hand, China's growing economic power and its advances in its offshore drilling capabilities meant it could overcome the financial and technological barriers that had previously limited its energy development efforts in the deepwater areas of the South China Sea. In 2012, China commissioned its first domestically designed and manufactured ultra-deepwater, semi-submersible drilling platform—the HYSY-981—which considerably enhanced China's offshore drilling capability from 300 to 3,000 metres.[18] Beforehand, due to technological hurdles, Chinese energy development activities in the South China Sea had been concentrated in shallow water areas along the coast of Hainan Island, the Gulf of Tonkin and the Pearl River Estuary.[19] Tellingly, once the HYSY-981 was operational, CNOOC Chairman Wang Yilin described it as a "strategic weapon" that would facilitate the development of China's offshore energy industry, a remark that underscored the strategic value that Beijing attached to this technological breakthrough.[20]

Against this backdrop of diminishing prospects for joint development and China's growing offshore drilling capabilities, starting from the early 2010s, some Chinese experts began to suggest that China should opt for "independent development".[21] According to this concept, it would prevent China from lagging behind in the exploration of hydrocarbon resources, at least until substantive joint development agreements could be reached with the other claimants, while also squeezing the areas for exploration available to the other claimants. Meanwhile, Chinese scholars emphasized that independent development would not mean abandoning joint development; instead, it was a means of pressuring other claimants into accepting joint development with China, thus making the two concepts complementary. Li Guoqiang, then deputy director of the Research Center for Chinese Borderland History and Geography at China's Academy of Social Sciences (CASS), argued in a 2016 interview:

> We must continue to uphold the position of "sovereignty belonging to China, shelving the disputes, and pursuing joint development" … Meanwhile, we need to press ahead and strengthen independent development, using independent development to push for joint development [以自主开发促进共同开发] and making progress on both types of development … These two are not contradictory, but mutually supplemental and reinforcing.[22]

Some Chinese analysts also argued that pursuing independent development would augment China's bargaining power, enabling it to negotiate for larger shares in joint development projects.[23]

By 2012, Chinese analysts argued that China had overcome two of the three key obstacles that had previously constrained its pursuit of independent development in the disputed waters.[24] The first obstacle was its previous lack of capital to independently finance E&P activities, given that such ventures entail considerable political and commercial risks due to the territorial and boundary disputes. However, after four decades of economic growth, the three major Chinese national oil companies (NOCs)—CNOOC, China National Petroleum Corporation (CNPC) and China Petroleum and Chemical Corporation (Sinopec)—had acquired the necessary financial resources by the 2010s to fund E&P projects in the South China Sea independently. The second obstacle was the lack of technological capabilities and equipment required for E&P activities in the deepwater areas of the South China Sea. As discussed earlier, China's advances in deep-ocean exploration technology and equipment manufacturing—exemplified by the commissioning of the HYSY-981 in 2012, as well as other deepwater mining platforms—considerably mitigated the technological constraints.[25]

However, China was still facing the third barrier: the absence of forward-positioned logistics bases in the South China Sea that would support and protect its E&P assets and escort vessels, especially if they were to operate around the resource-rich Spratly Islands, which are located more than 700 miles from Hainan. In 2012, Wu Shicun, then head of China's National Institute for South China Sea Studies (NISCSS), said during an interview that without forward-positioned logistical bases in the Spratlys, China's E&P activities in this area would have to rely solely on auxiliary ships for replenishment, rendering them highly vulnerable to interference by the other claimants.[26] The long distance between the Chinese mainland and the Spratlys also posed challenges in transporting construction materials, and oil and gas. In this light, when China began implementing massive land reclamation projects in the South China Sea between 2013 and 2015, Chinese analysts viewed them as long overdue moves to address the country's strategic and geographical disadvantages.[27]

Compared to simply blocking other claimants' E&P activities using coastguard and maritime militia vessels, Chinese analysts contend that independent development had similar drawbacks but offered greater advantages. Dong Shijie, a former official of the Department of Boundary and Ocean Affairs under China's Ministry of Foreign Affairs (MFA) and currently a law expert affiliated with the South China Sea Institute at Xiamen University, comprehensively compared the two options. Both independent development and

blocking other claimants' E&P activities involve risks because they escalate regional tensions and motivate the other claimants to seek international arbitration against China. However, according to Dong's analysis, independent development provides China with several benefits not offered by the "blocking" option: it allows China to seize the initiative in developing hydrocarbon resources in the South China Sea, placing it in an advantageous position; it enables China to assert its sovereign rights and jurisdictional claims more effectively by establishing a long-term foothold in the contested waters, something that China's patrol vessels cannot accomplish; it demonstrates and consolidates China's effective administration of the claimed sea areas since extraction of hydrocarbons typically involves the designation and administration of various oil and gas blocks;[28] and it can reduce the area available for other claimants to engage in their own development, thereby exerting greater pressure on them to engage in joint development discussions with China.[29]

Curiously, the Chinese discourse appears to have largely overlooked the possibility that pursuing independent development, thus further antagonizing the other claimants and exacerbating overall geopolitical tensions, could decrease the likelihood of joint or cooperative development projects. Indeed, Chinese experts have offered relatively little analysis of the ramifications of independent development. This raises the question: Do the Chinese analysts envision joint or cooperative development as a choice to be made by other claimants? Or, in other words, do the Chinese analysts believe that by aggressively pursuing independent development, China could effectively drive the other claimants into a corner where they have few alternatives but to accept joint development arrangements?

Despite the growing discussions about independent development within the Chinese analytic community, this study has not found authoritative Chinese sources—speeches by Chinese leaders or central government documents related to maritime disputes, for instance—that adopt this term. Nor has it appeared in quasi-authoritative sources such as the *People's Daily*. Furthermore, in what appears to be a repudiation of allegations regarding China's engagement in independent development, Chinese Foreign Minister Wang Yi stated during the 2020 East Asia Summit Foreign Ministers' meeting: "China has the capability, and the need, to explore oil and gas resources in the South China Sea on its own. However, we have never drilled a single oil well in the disputed waters. Instead, we have persistently called for 'pursuing joint development while setting aside disputes'."[30]

Nevertheless, the absence of official endorsement for independent development does not, *ipso facto*, constitute evidence of its nonexistence in practice. A plausible explanation for the absence of any official endorsement of the concept is that Beijing regards independent development merely as a component of its broader strategy to induce other claimants into joint development endeavours with China. In other words, joint development remains the ultimate goal, while independent development serves as a means to facilitate its realization.

While there are estimated to be significant amounts of hydrocarbon resources in the South China Sea, as mentioned earlier, these resources are relatively inconsequential in relation to China's overall energy demand, which sat at 15.3 million barrels per day of oil and 13.4 trillion cubic feet of natural gas in 2021.[31] This disparity underscores the limited economic or energy security value of independent development or joint development. However, joint development projects carry symbolic value and political significance. From Beijing's perspective, they could showcase China's magnanimity and amity, values not embodied by independent development. Another possible reason for the lack of official endorsement for independent development is a gap between China's declared stance and its conduct in the South China Sea. This possibility cannot be easily ruled out, especially when considering that such gaps are discernible in China's approach to two other salient issues germane to the South China Sea: the use of maritime militia and the militarization of the artificial islands.[32]

The absence of official references to independent development makes it challenging to determine exactly when and to what extent the concept has been accepted and integrated into China's maritime rights protection strategy. Zhu Feng, executive director of the South China Sea Studies Center at Nanjing University, and Wu Shicun, of NISCSS, describe China's deployment of the HYSY-981 to the Paracels in 2014 as an attempt to test this concept and gauge the other claimants' reactions to China's advancement into deepwater areas of the South China Sea.[33] Vietnam's vehement reactions to the HYSY-981's presence in its claimed EEZ, as well as China's limited capabilities in establishing operational dominance during the tense clash, resulted in a five-year pause in China's advancement—until the HYDZ-8 incident at Vanguard Bank in 2019. But why did China attempt independent development in the Paracels before moving on to the resource-rich Spratlys? More generally, how does China determine where and when to deploy its expensive E&P assets and which rival claimant(s) to confront?

Choosing Locations and Targets

Chinese experts suggest that Beijing should consider the varying levels of security risks that its vessels would face in different locations in the South China Sea when pursuing independent development. Writing in 2012, Li Guoqiang, of CASS, argued that China should begin with the Paracels and Pratas Islands, where the security environment is relatively favourable, while holding off independent development in the Spratlys, where the security environment is more challenging—until the "technology and opportunities are ripe".[34] Also in 2012, Wang Peiyun, a maritime energy expert formerly affiliated with CNOOC, identified four major disputed areas in the South China Sea where China could pursue independent development:[35] the area outside the mouth of the Tonkin Gulf where China and Vietnam have been negotiating boundary delimitation since the mid-2000s but are deadlocked over whether to exclude the Paracels;[36] the Wan'an Bei-21 (WAB-21) block at Vanguard Bank, where China signed a contract with Crestone, a US-based company, in 1992 for development but where the survey was halted after a standoff between Chinese and Vietnamese warships in 1994; the nine blocks stretching from the Paracels to Vanguard Bank that China opened for international bidding in 2012 in response to Hanoi's passage of the Law of the Sea of Vietnam;[37] and the area covered by the 2005 JMSU. China's focus on these areas means that Vietnam would be a primary target for persistent Chinese pressure for joint development (see Table 1).[38] Other Chinese analysts have identified the Zengmu Basin, located off the coast of the Malaysian states of Sarawak and Sabah, as a key area where China needs to compete for hydrocarbon resources.[39]

In 2014, the HYSY-981 was deployed to the Paracels, which is completely under China's control and thus considered a low-risk location in China's calculation. However, Beijing underestimated Hanoi's determination to compel China to remove the platform. Moreover, since multiple states claim sovereignty and sovereign rights in the Spratlys area, while the Paracels are only contested by Vietnam, China might have expected that drilling in the latter would cause less unease among the other claimants compared to a similar venture to the Spratlys. Although the area around the Paracels lacks significant proven or potential hydrocarbon reserves and is thus a low priority on China's E&P agenda,[40] the deployment of the HYSY-981 set a precedent for independent development and set the stage for China's future activities in the Spratlys.

Table 1

Reference to Hydrocarbon Development in Disputed Waters in China's Major Bilateral Documents with Vietnam, the Philippines, and Malaysia since 2009

	Bilateral document	Language	Type of Development Alluded to
China-Vietnam	PRC-Vietnam Basic Principles on Settlement of Sea Issues (Oct. 12, 2011)	"…actively explore transitional and temporary solutions that do not affect the positions and propositions of both parties, including actively studying and discussing issues of **joint development**…Steadily advance the negotiations on the demarcation of the sea area outside the mouth of the Beibu Gulf, and at the same time actively discuss the issue of **joint development** of this sea area…"	Joint development
	PRC-Vietnam Joint Statement (Jun. 21, 2013)	"…actively explore transitional solutions that do not affect their respective positions, including actively studying and discussing **joint development** issues….steadily push forward the negotiations on the demarcation of the waters outside the mouth of the [Beibu] Gulf and to actively promote the **joint development** of the sea area..."	Joint development
	Joint State on Strengthening China-Vietnam Comprehensive Strategic Cooperation in the New Era (Oct. 15, 2013)	"…actively explore transitional solutions that do not affect their respective positions and propositions, including actively studying and discussing **joint development** issues…steadily promote the demarcation negotiations of the sea area outside the mouth of the [Beibu] Gulf and actively promote the **joint development** of this sea area."	Joint development
	PRC-Vietnam Joint Communique (Jan. 15, 2017)	"…actively explore transitional solutions that do not affect their respective positions, including actively studying and discussing **joint development** issues… steadily advance the negotiation on the demarcation of the sea area outside the mouth of the Beibu Gulf and actively promote the **joint development** of this sea area…"	Joint development
	PRC-Vietnam Joint Communique (May 15, 2017)	"…steadily advance the negotiation on the demarcation of the sea area outside the mouth of the Beibu Gulf and actively promote the **joint development** of this sea area…"	Joint development
	PRC-Vietnam Joint Statement (Nov. 13, 2017)	"…steadily advance the negotiation on the demarcation of the sea area outside the mouth of the Beibu Gulf and actively promote the **joint development** of this sea area…"	Joint development
	Joint Statement on Continuing to Promote and Deepen the China-Vietnam Comprehensive Strategic Cooperative Partnership (Nov. 2, 2022)	"The two sides agreed to actively promote the consultation on **joint maritime development** and the demarcation of the sea area outside the mouth of the Beibu Gulf, so as to promote the early and substantial progress of the above two tasks."	Joint development

Table 1 (continued)

	Bilateral document	Language	Type of development alluded to
	PRC-Vietnam Joint Press Release (Jun. 30, 2023)	No mention	
	PRC-Philippine Joint Statement (Sept. 1, 2011)	No mention	
	PRC-Philippine Joint Statement (Oct. 21, 2016)	No mention	
China-Philippines	PRC-Philippine Joint Statement (Nov. 16, 2017)	"Both sides may explore means to **cooperate** with each other in other possible maritime activities including maritime oil and gas exploration and exploitation"	Cooperative development
	Memorandum of Understanding on Cooperation on Oil and Gas Development between the Government of the People's Republic of China and the Government of the Republic of the Philippines (Nov. 27, 2018)	"The two governments have decided to negotiate on an accelerated basis arrangements to facilitate oil and gas exploration and exploitation in relevant maritime areas consistent with applicable rules of international law (hereinafter referred to as 'the **cooperation arrangements**') …The Committee will be responsible for negotiating and agreeing the cooperation arrangements and the maritime areas to which they will apply (hereinafter referred to as the '**cooperation area**')"	Cooperative development
	PRC-Philippine Joint Statement (Jan. 5, 2023)	"On **oil and gas cooperation**, both sides agreed to bear in mind the spirit of the *Memorandum of Understanding on Cooperation on Oil and Gas Development between the Government of the People's Republic of China and the Government of the Republic of Philippines* signed in 2018, and agreed to resume discussions on oil and gas development at an early date…"	Cooperative development
	PRC-Malaysia Joint Press Release (Oct. 5, 2013)	No mention	
	PRC-Malaysia Joint Communique on the 40th Anniversary of Establishing Diplomatic Relations (Jun. 1, 2014)	No mention	
China-Malaysia	PRC-Malaysia Joint Press Release (Nov. 3, 2016)	No mention	
	Joint Statement between the Government of the People's Republic of China and the Government of Malaysia (Aug. 20, 2018)	No mention	

Source: Compiled by the author.

Unlike the sudden deployment of the HYSY-981 to the Paracels, China's move into the Spratlys was expected to be a slower and more challenging process, both technically and politically. According to Hu Bo, director of the South China Sea Strategic Situation Probing Initiative at Peking University, while the completion of land reclamation would significantly alleviate the logistical hurdles for Chinese vessels and E&P assets operating in the Spratlys, another challenge remained unaddressed: surveying the seabed and collecting sufficient seismic data in this area, where China had made little headway. Hu argued that without evaluating the commercial prospects, China would unlikely move the HYSY-981 all the way to the Spratlys merely to make a political statement without considering the potential costs.[41] Indeed, the HYSY-981 was kept away from the disputed waters when it was subsequently redeployed to the South China Sea,[42] and it was not involved in any of the subsequent standoffs between China and Vietnam at Vanguard Bank or between China and Malaysia near Sabah and Sarawak.

In recent years, hydrocarbon-related frictions and standoffs between China and Vietnam have become increasingly frequent. China pressured Vietnam to halt drilling operations at Vanguard Bank in 2017 and compelled the cancellation of another contract to develop a block near Vanguard Bank the following year.[43] A highly publicized four-month standoff at sea occurred in 2019 when China deployed the HYDZ-8 to conduct an oil and gas survey in Vanguard Bank after a Rosneft-operated oil rig moved into a nearby block contracted by Vietnam. The sea area that the HYDZ-8 surveyed encompassed two of the nine blocks CNOOC opened for international bidding in 2012.[44] Another standoff took place in May 2023 after China deployed the XYH-10 survey ship in response to Vietnam's decision to expand its drilling programme at Vanguard Bank. China raised the stakes by deploying maritime law enforcement vessels and maritime militia boats alongside its marine survey and exploration assets in the 2019 and 2023 episodes, compared to its quiet diplomatic pressure on Vietnam in 2017 and 2018. What explains this change in China's conduct since 2019?

One likely explanation is that Beijing wanted to prevent other claimants from exploiting the window of opportunity before the CoC negotiations were concluded and deter them from taking advantage of China at a time when Beijing faced mounting internal and external challenges. In 2018, the ongoing negotiations between China and ASEAN for a CoC produced a single draft negotiating text, moving the process a modest step forward. While announcing

its aspiration to conclude the negotiations by 2021,[45] China also saw an imperative to prevent other claimants from exploiting the window preceding the potential finalization of the CoC negotiations. Liu Lin, an analyst affiliated with the PLA's Academy of Military Science (AMS), underscored this consideration in an annual assessment of China's regional security environment published in late 2021:

> Countries such as Malaysia, Vietnam and Indonesia have redoubled their endeavours in oil and gas exploration, alongside their competition for fisheries resources within the Spratlys. The intensified activities can be attributed to the anticipation that once the CoC takes effect, it will impose restrictions on all signatories' conduct in the South China Sea. Consequently, all claimants are eager to capitalize on the remaining window of opportunity to consolidate their positions as much as possible, thereby augmenting their bargaining power at the negotiating table.[46]

Meanwhile, the mounting internal trouble and external challenges confronting China during this period, such as the escalating trade war with the United States, heightened tensions in the Taiwan Strait, and the protests in Hong Kong, seem to have heightened Beijing's sensitivity to the prospect that other countries would seek to profit from China's weakness, thereby reinforcing the incentive for the Chinese government to show strength and resolve in the maritime disputes.[47] According to Liu Lin, "Some claimants may harbour the confidence that, given the trade war China has been fighting with the United States since 2019 and the growing internal and external pressures on Beijing pertaining to issues such as Hong Kong, Xinjiang and Taiwan, China is unlikely to respond resolutely to its neighbours' activities in the South China Sea."[48]

Another possible contributing factor is the significant changes in Vietnam's domestic political power structure since late 2018, which Chinese analysts believe allowed China to push Vietnam towards joint development negotiations.[49] In October 2018, following the sudden death of Vietnam's President Tran Dai Quang, Nguyen Phu Trong, the general secretary of the Communist Party of Vietnam (CPV), succeeded him as president. Trong became the first CPV leader to concurrently hold the position of head of state since Ho Chi Minh's death in 1969 (except for Truong Chinh, who briefly held both titles for a few months in 1986), marking a departure from Vietnam's longstanding political tradition of collective leadership and power sharing among the four most senior CPV leaders, commonly known as the "four pillars".[50] Additionally, Trong leads the Vietnamese military in his capacity as the secretary of the CPV's Central Military Commission.

With the "four pillars" being reduced to three—although they returned to four in 2021 on the surface—and more power concentrated in the hands of Trong, Chinese analysts observed that Trong, who is considered an ideological conservative with a pragmatic approach towards China,[51] now also wielded more influence over Vietnam's foreign policy, including the maritime disputes with China. According to retired PLA senior colonel Cheng Hanping, a Vietnam expert affiliated with the South China Sea Studies Center at Nanjing University, this development in Vietnamese politics presented a unique opportunity for China to nudge Vietnam into joint development arrangements. While Vietnam has been open to negotiations with the United States, Russia and several other countries for joint E&P projects in the South China Sea, it has avoided pursuing joint development with China, which appears to be Vietnam's "red line", according to Cheng. He noted, "Now with a bigger say [on Vietnam's foreign policy], Nguyen Phu Trong may be able to break the taboo and try to cooperate with China to promote the continued development of Vietnam's marine economy." Cheng also argued that Trong's concentration of power and his heightened sensitivity to regime security may lead to tighter control over Vietnam's media outlets, social media platforms and political dissidents, all of which were perceived as playing a major role in instigating the anti-China riots in Vietnam in 2014 in response to the clash over the HYSY-981 and in manipulating the riots for anti-CPV regime purposes.[52] Similarly, Zhao Weihua, a Vietnam expert currently affiliated with Fudan University, warned that Hanoi's South China Sea policy may harden after Trong's departure. He wrote,

> As the Vietnamese elite undergoes generational turnover … after Nguyen Phu Trong's departure, except for a few leaders, the political elite born in the 1960s will take over. These individuals are mostly educated in the West or grew up during the period of Sino-Vietnamese hostility … Maintaining stable Sino-Vietnamese relations will become more costly and challenging, and we must consider this trend when thinking about the bilateral relationship and the South China Sea issue.[53]

Vietnam's low-profile approach to the HYDZ-8 incident in 2019 appears to have confirmed the beliefs of Chinese analysts: Vietnam limited its reactions primarily to diplomatic protests while refraining from directly confronting Chinese vessels at sea; Vietnamese authorities tightly controlled anti-China protests in Hanoi and Ho Chi Minh City; cracked down on domestic media outlets; and detained journalists reporting on the South China Sea dispute.[54] Vietnam also kept

international media at bay, unlike in 2014, when foreign journalists were embedded on Vietnamese government vessels deployed to the frontline of the clash.[55] During the 2019 standoff, Trong assured the public that Vietnam would resolutely and persistently defend its sovereignty and territorial integrity. However, at the same time, he also emphasized the importance of maintaining a peaceful and stable environment conducive to the country's development.[56] While Chinese analysts interpret Trong's remarks as indicating that the South China Sea issue was negotiable for Vietnam, they also note that Vietnam may attempt to exploit the geopolitical opportunities presented by the United States' Indo-Pacific strategy, maximize its gains in the South China Sea and continue its operations—as long as these actions do not trigger an open conflict with China. Therefore, Zhao suggests that China needs to act to "break some of Vietnam's unrealistic illusions".[57]

In contrast to its persistent pressuring of Vietnam to engage in joint development negotiations with China, Beijing has adopted a relatively more flexible approach towards the Philippines, especially in its discussions with the Duterte administration, over the development of resources at Reed Bank, emphasizing its willingness to pursue "cooperative development" with Manila (see Table 1).[58] Traditionally, a major obstacle in China's joint development negotiations with the Philippines stems from the Philippine Constitution, which limits foreign ownership of land and businesses to 40 per cent, with the remaining 60 per cent exclusively reserved for Filipino citizens or corporations. However, China requires an equal division of ownership for joint development projects in disputed waters.[59] In a 2020 article, Lin Qi, a researcher at NISCSS, stated that China had accepted the Philippines' 60/40 division requirement during negotiations with the Duterte administration.[60] This acceptance, a major concession made by China, according to this analysis, likely contributed to China's decision to use vague terms, such as "cooperation arrangements" that allude to "cooperative development" rather than joint development in bilateral documents with the Philippines.

Furthermore, China's adoption of the more loosely defined "cooperative development"—which can take place in areas "with or without boundary disputes"—may have been intended to minimize potential domestic political challenges for the Duterte administration. Unlike the concept of "cooperative development", the use of "joint development" would imply that the area under negotiation is disputed, which could invite criticism about the deal within the Philippines. Indeed, critics could point to the 2016 Arbitral Tribunal ruling,

which rejected China's legal basis for claiming historic rights to resources within the nine-dash line, and argue that the area being negotiated falls within the undisputed EEZ and continental shelf of the Philippines. Likely reflecting these considerations, some Chinese analysts suggested that China should pursue bilateral cooperation with the Philippines in developing oil and gas resources in the South China Sea while avoiding touching on the sensitive issue of sovereignty. This approach, according to the analysts, would provide Manila with greater political flexibility.[61]

The same legal and political constraints also likely made it necessary for the Duterte government to accept the term "cooperative development" so that any resulting arrangements could be presented to its domestic audience as a scheme in which China is participating in the development of energy reserves within the Philippines' EEZ. Although Duterte ordered the termination of cooperative development talks during his final days in office, the latest China-Philippines joint statement, issued after President Ferdinand Marcos Jr.'s visit to China in January 2023, refers to the 2018 China-Philippines deal and articulates the mutual agreement to build upon "the outcomes of the previous talks".[62] This language likely indicates Beijing's willingness to revive the talks and continue the discussions along the line of cooperative development.

Regarding Malaysia, China's approach has been largely ambivalent thus far, as the two countries have not engaged in serious discussions regarding the pursuit of joint or cooperative hydrocarbon development in the South China Sea.[63] None of the major bilateral documents between China and Malaysia issued since 2009 has mentioned such collaborations. The most recent—and possibly the only—bilateral document containing a generic reference to this matter is the 2005 joint communiqué, which states: "[t]he two sides welcome and support relevant countries to explore practical cooperation in the disputed waters of the South China Sea in the spirit of 'shelving the disputes and pursuing joint development'".[64] In Chinese analysts' discussions, there is an implicit—and sometimes explicit—dissatisfaction that Malaysia has leveraged its low-profile posture in the maritime disputes and its overall amicable bilateral ties with China to quietly exploit hydrocarbons in the disputed areas of the South China Sea, benefitting more than China from energy development ["闷声发大财"].[65] Recognizing that Malaysia will continue to prioritize the protection of its maritime interests in the South China Sea, especially in hydrocarbon E&P activities, some Chinese analysts suggest that China needs to harden its approach and

employ independent development to curtail what they characterize as Malaysia's "unilateral oil and gas development activities" in the disputed areas.[66] Chen Xiangmiao, director of the World Navy Research Center at NISCSS, has even argued that tensions surrounding hydrocarbon development will eventually become a major contentious issue in the bilateral relationship.[67]

Implementing Independent Development

Chinese analysts emphasize that the primary aim of expanding China's independent development activities in the South China Sea, especially in the Spratlys, is to pressure other claimants to accept joint development.[68] In other words, pursuing independent development does not mean abandoning the goal of joint development. Dong Shijie, of Xiamen University, explicitly warns against relying solely on independent development because such a shift would lead to a race for hydrocarbon development in the South China Sea.[69] Other Chinese analysts also argue that Beijing should adopt a strategy that combines independent development, cooperative development and joint development with relevant claimants to expedite oil and gas exploitation.[70]

However, suppose China possesses the ability to pursue independent development and can easily outgun the other claimants. Why would it not continue down the path of independent development as the primary or even sole method for resource extraction in the South China Sea, while quietly disregarding joint/cooperative development? While China may currently have the requisite capabilities to pursue independent development, as asserted by Foreign Minister Wang Yi, Beijing may view an intensified race for hydrocarbon development as politically and diplomatically costly, particularly when China's relations with the United States have become increasingly strained and competitive. As underscored in 2021 by Shi Yinhong, a strategist at Renmin University and a longstanding advisor to the State Council, except for a small number of countries that consistently align themselves with either the United States or China, a significant number of countries in the international system are forming what he refers to as "the middle zone" (中间区), which adamantly refuses to take sides in the escalating strategic competition between the United States and China. Shi argues that China faces a challenging external environment on two fronts: confrontation and intense pressure from the United States; and alienation and resistance from countries in the middle zone.[71] Consequently, in China's calculations, independent

development as the primary or exclusive approach for resource extraction—even if not formally declared as an official position of the Chinese government—could fundamentally antagonize Southeast Asian countries and thus not warrant the geopolitical costs.

Some Chinese analysts suggest that Beijing should empower Hainan, the province responsible for administering the South China Sea, to play a leading role in conducting independent development activities in the region. According to Kang Lin, of the NISCSS, Beijing should allow Hainan to selectively open blocks in disputed areas of the South China Sea for international tender or for partnerships with energy companies, such as CNOOC and CNPC, to undertake independent development. According to this analysis, assigning a subnational actor as the leading implementer of independent development would enable China to "avoid diplomatic controversies at the national level".[72] There are also economic incentives motivating Hainan to seek a greater role in China's E&P activities in the South China Sea. According to Zhang Liangfu, a former policy analyst at CNOOC, under China's current tax and fee administration system for oil and gas development, the country's three major NOCs—CNOOC, CNPC and Sinopec—pay corporate income tax solely to the central government, leaving local authorities without a share. Furthermore, the NOCs remit resource taxes for offshore oil and natural gas to the central government, and coastal provinces do not benefit from these taxes either. This revenue distribution pattern disadvantages Hainan, which invests significantly in administering and promoting China's interests in the South China Sea. According to Zhang, to compensate Hainan for this expenditure, the province should be allowed to acquire equity stakes in China's NOCs—especially in CNOOC's upstream business—establish joint ventures and receive a portion or all of the taxes on offshore oil and gas resources. Additionally, local state-owned and even private enterprises in Hainan should be allowed to participate in oil and gas development in the South China Sea.[73]

However, Beijing seems reluctant to grant Hainan greater authority or autonomy in conducting independent development. Although competition for revenue between the central and local governments may contribute to Beijing's reluctance, a more important concern is probably Hainan's track record of promoting aggressive South China Sea policies that sometimes even conflict with China's strategic interests. For example, in 2001, following a mid-air collision between a Chinese fighter jet and a US EP-3 reconnaissance aircraft

off the coast of Hainan, local military authorities provided distorted information accusing the US aircraft of causing the collision, misleading Beijing's initial assessment and response.[74] In 2013, Hainan issued regulations that required foreign vessels fishing in waters under its administration to obtain permits from the Chinese State Council, raising region-wide concerns that the province would enforce these regulations throughout the South China Sea.[75] In 2017, the mayor of Sansha, a city established under Hainan's authority to govern China's claimed land features and waters within the nine-dash line, announced a plan to build environmental monitoring stations on Scarborough Shoal, prompting a swift denial from the Chinese foreign ministry.[76] These precedents may lead Beijing to reconsider granting Hainan a more important role in implementing independent development because such operations require calculated employment of coercion while minimizing the risks of unwanted confrontation, clashes or even escalation.

Additionally, Beijing's apparent reluctance to allocate a portion of tax revenue from the NOCs to Hainan starkly contrasts its decision to order energy companies operating in Xinjiang to allocate 5 per cent of their tax revenue to the western province.[77] While this discrepancy in Beijing's approach towards the two regions can be attributed to a variety of factors, such as provincial leaders' personal relations with China's top leadership and resources required to achieve local sociopolitical priorities, it may also indicate that Beijing does not accord the South China Sea the same level of centrality in its national interest hierarchy as it does Xinjiang, a nuanced distinction that some China observers noted over a decade ago, albeit one that has often been overlooked.[78]

Nevertheless, some Chinese scholars suggest that China should pursue independent development—in conjunction with a delimitation of the South China Sea—as an end in itself, rather than as a means to achieve joint development. This approach would involve making major concessions from the Chinese perspective. Luo Guoqiang, an international law professor at Wuhan University, argues that China should discard the policy of "shelving the disputes, pursuing joint development" because the other claimants have never fully accepted it. Instead, Luo proposes that China declares the territorial sea baselines for each China-controlled land feature in the South China Sea. By doing so, Beijing would, in effect, acknowledge that the area within the nine-dash line contains an international seabed and the continental shelves of other claimants. As such, it would mean granting the other claimants a portion of E&P rights in the

South China Sea. According to Luo, this method is more equitable and more likely to be accepted by the other claimants, compared to China claiming "historic rights" over the entire area within the nine-dashed line; as a result, it would create a stable environment for China to independently conduct E&P activities in its undisputed portion of the South China Sea. Under this proposal, hydrocarbon development in the area that would become an international seabed would be regulated by the UN International Seabed Authority, which, according to Luo, is preferable to unilateral exploitation by the other claimants.

Moreover, China's technological advantages in deep seabed exploitation would put it in a favourable position in competing for E&P contracts. Most importantly, Luo argues that this approach would bring China's position into better alignment with international law.[79] While Luo's proposal likely represents a minority viewpoint within the Chinese analytic community nowadays, the fact that alternative approaches are still openly discussed and debated among Chinese experts suggests that China may not have settled on a more aggressive unilateral approach towards hydrocarbon development in the South China Sea.

Conclusion

Over the past decade, the notion of independent development has been conceived by Chinese analysts as a way for Beijing to pressure the other claimants into joint development discussions with China. This concept, however, does not necessarily portend China's abandonment of joint or cooperative development. In attempting to conduct independent development, Beijing has targeted areas of the South China Sea that largely overlap with Vietnam's designated blocks. However, with the Philippines and Malaysia, China has either pursued a strategy of promoting cooperative development or remained relatively ambivalent to the prospect of joint development.

China's growing emphasis on independent development in the South China Sea may have significant ramifications for regional stability and the ongoing CoC negotiations, especially the sections pertaining to energy development collaborations. In the long run, it remains conceivable that China and the other claimants may engage in such collaborations in a manner that would be both equitable and politically acceptable to all parties, but achieving this objective requires greater restraint in conduct, more alignment between words and actions, and a greater willingness, especially on China's part, to

meet each other halfway in negotiations. Beijing should acknowledge that its attempts at independent development in contested waters of the South China Sea have generally backfired, leading to tense situations and deepening distrust among the other claimants. Indeed, China's actions—including the deployment of HYSY-981 in 2014 that triggered the most serious crisis between China and Vietnam since they normalized diplomatic ties in 1991, the deployment of HYDZ-8 in 2019 that resulted in a highly publicized four-month standoff and the deployment of the HYDZ-8 in 2020 that considerably deepened Malaysia's suspicions concerning China's long-term intentions regarding the South China Sea—have undermined hopes for joint development.

For the other claimants, it is also imperative that they pragmatically reassess their positions with regard to collaborating with China in hydrocarbon development in contested waters. In the short run, China will likely persist in its attempts at independent development as a low-intensity, low-risk strategy to pressure them into joint development negotiations. However, engaging in negotiations with China does not necessarily mean giving in to Chinese pressure or accepting China's terms. Indeed, as Chinese experts have observed, the intensification of the strategic competition between the United States and China has reinforced Beijing's motivation to maintain stable ties with Southeast Asian countries as a counterweight to pressure emanating from Washington.[80] Furthermore, Beijing appears earnest in its desire to prevent maritime disputes from obstructing the implementation of the Belt and Road Initiative (BRI), Chinese President Xi Jinping's signature foreign policy undertaking, in Southeast Asia. BRI projects such as the East Coast Rail Link (ECRL) in Malaysia and the Jakarta-Bandung high-speed rail project in Indonesia are prominently touted by Chinese state media as early successes of the initiative, and as illustrating China's goodwill and contributions to enhancing regional connectivity.[81] As such, it is crucial for the Southeast Asian claimants to leverage their bargaining power with Beijing, unequivocally stipulating that discussions regarding hydrocarbon development collaborations and subsequent undertakings must not prejudice any party's territorial claims or future boundary delimitation and explicitly affirm that participation should not be construed as an acknowledgement of any party's maritime claims.

Lastly, within the framework of CoC negotiations, it is crucial to establish regional-level institutional arrangements conducive to collaboration in oil and gas development. One possible mechanism is to create a consortium of NOCs from the claimant states. This consortium would ensure that each party receives a share of the

hydrocarbon resources in undelimited waters of the South China Sea, with the specific modality of collaboration and allocation of resources subject to case-by-case negotiations. Building upon this institutional foundation, energy companies from third-party countries—whether from within or outside the region—should be permitted to participate in energy E&P projects in the region. Despite Beijing's preference during the CoC talks, thus far, to exclude companies from countries outside of the region, Southeast Asian countries enjoy a numerical superiority and wield the necessary bargaining power to advocate for such a mechanism.

NOTES

Acknowledgements: I would like to thank Brian Chao and the three anonymous reviewers for their very helpful comments and suggestions on earlier drafts of this article. I also thank the editors of *Contemporary Southeast Asia* for their editorial assistance.

1 US Energy Information Administration (hereafter EIA), "South China Sea", last updated on 15 October 2019, https://www.eia.gov/international/analysis/regions-of-interest/South_China_Sea.

2 EIA, "Vietnam", last updated on February 2017, https://www.eia.gov/international/analysis/country/VNM; EIA, "Philippines", last updated on 12 November 2020, https://www.eia.gov/international/analysis/country/PHL.

3 Isaac B. Kardon, *China's Law of the Sea: The New Rules of Maritime Order* (New Haven, Connecticut: Yale University Press, 2023), p. 117.

4 "China and Vietnam Point Fingers after Clash in South China Sea", *New York Times*, 27 May 2014, https://www.nytimes.com/2014/05/28/world/asia/vietnam.html.

5 "Vietnam, China Embroiled in South China Sea Standoff", Reuters, 16 July 2019, https://www.reuters.com/article/us-vietnam-china-southchinasea/vietnam-china-embroiled-in-south-china-sea-standoff-idUSKCN1UC0MX.

6 "Malaysian Oil Exploration Vessel Leaves South China Sea Waters after Standoff", Reuters, 12 May 2020, https://www.reuters.com/article/us-china-security-malaysia/malaysian-oil-exploration-vessel-leaves-south-china-sea-waters-after-standoff-idUSKBN22O1M9.

7 "New Standoff between Vietnamese and Chinese Ships Reported in South China Sea", *South China Morning Post*, 14 May 2023, https://www.scmp.com/news/china/diplomacy/article/3220534/new-stand-between-vietnamese-and-chinese-ships-reported-south-china-sea.

8 Kardon, *China's Law of the Sea*, p. 168.

9 "Panel: China Now Well Positioned to Bully Neighbors in South China Sea", *USNI News*, 27 January 2020, https://news.usni.org/2020/01/27/panel-china-now-well-positioned-to-bully-neighbors-in-south-china-sea.

[10] James Manicom, "The Energy Context behind China's Drilling Rig in the South China Sea", *China Brief*, 4 June 2014, https://jamestown.org/program/the-energy-context-behind-chinas-drilling-rig-in-the-south-china-sea/.

[11] Huaigao Qi and Song Xue, "Introduction: Cooperative Development among the South China Sea Coastal States", in *Cooperative Development in the South China Sea: Policies, Obstacles, and Prospects*, edited by Huaigao Qi and Song Xue (London, UK: Routledge, 2021), p. 3.

[12] Ibid., p. 4.

[13] In 2023, the Philippines Supreme Court ruled that the JSMU was unconstitutional. See, International Crisis Group, *Stirring Up the South China Sea (IV): Oil in Troubled Waters*, 26 January 2016, https://www.crisisgroup.org/asia/north-east-asia/china/stirring-south-china-sea-iv-oil-troubled-waters; "SC Affirms Decision: PH Oil Deal with China, Vietnam Unconstitutional", *Inquirer*, 5 July 2023, https://newsinfo.inquirer.net/1797936/sc-affirms-unconstitutionality-of-ph-exploration-deal-with-china-vietnam.

[14] The joint submission in effect clarified that Vietnam and Malaysia were only claiming an EEZ and continental shelf from their mainland coast or archipelagic baselines and were not claiming an EEZ or continental shelf from the disputed land features in the South China Sea. In other words, they were treating the land features as entitled to a 12-nautical mile territorial sea, but no EEZ. Following this logic, the submission eliminated overlapping EEZ claims between China and the Southeast Asian claimants in the South China Sea that could be subject to joint development. The author thanks the anonymous reviewers for pointing this out. For other scholarly explainer on this matter, see, for example, Robert Beckman, "South China Sea Disputes Arise Again", *Straits Times*, 6 January 2020, https://www.straitstimes.com/opinion/south-china-sea-disputes-arise-again.

[15] "Vietnam Accuses China in Seas Dispute", BBC, 30 May 2011, https://www.bbc.com/news/world-asia-pacific-13592508; "Philippines asks China to explain ship incident", Reuters, 3 March 2011, https://www.reuters.com/article/idINIndia-55313820110304.

[16] "《中国海洋石油报》原总编辑、《激荡中国海》作者王佩云：对中国来说，现在已经是最后的海洋和迟到的觉醒" [Wang Peiyun, former editor-in-chief of *CNOOC News*, author of *Exciting Chinese Seas*: now it is the last ocean and belated awareness for China], 21 *Shiji jingji baodao*, 24 January 2011.

[17] In selecting sources and collecting the data, I conducted a full text search in the *China National Knowledge Infrastructure* journal and core newspaper databases, analysed each result manually and counted only those in which the reference to "independent development" is clearly related to the hydrocarbon conflict in China's maritime disputes. I did not specify the time period for the search to maximize the accuracy of when this term began to emerge in the Chinese literature.

[18] "我国首座深水钻井平台 '海洋石油 981' 首钻成功" [China's First Deep-Water Drilling Platform Haiyangshiyou-981 Successfully Made Its First Drill], Xinhua, 9 May 2012, https://www.gov.cn/jrzg/2012-05/09/content_2132907.htm.

[19] Li Guoqiang, "南海油气资源勘探开发的政策调适" [Policy Adjustment in Resources Development in the South China Sea], *Guoji wenti yanjiu* 6 (2014): 104–15.

[20] "China's First Deep-Water Drilling Platform Haiyangshiyou-981 Successfully Made Its First Drill".

[21] Li Guoqiang, "解决南海问题的思考" [Thoughts on How to Resolve the South China Sea Issue], Zhongguo kexue bao, 17 December 2012; Yao Dongqin, "南海宝藏: 失去南海就相当于失去中国油气总资源的三分之一" [The South China Sea Treasure: Losing the South China Sea Is Equivalent to the Loss of One Third of China's Total Hydrocarbon Resources], *Zhongguo jingji zhoukan* 21 (2012): 24–30.

[22] "每一口井都是维权的前沿阵地" [Every Well Is a Frontline for Maritime Rights Protection], *Zhongguo shiyou shihua* 15 (2016): 27–31.

[23] Yao, "The South China Sea Treasure".

[24] Li, "Policy Adjustment in Resources Development in the South China Sea".

[25] Manicom, "The Energy Context behind China's Drilling Rig in the South China Sea".

[26] "到南海，竖我之井架" [Go to the South China Sea, Erect China's Well-Drilling Platforms], *Nanfengchuang* 11 (2012): 78–81.

[27] Zhou Wei, "南海岛礁建设: 中美的较量与暗战" [Artificial Island Construction in the South China Sea: Rivalry between China and the United States], *Weishi* 8 (2015): 91–94.

[28] This block system lies primarily in its demonstrative effects, meaning that it demonstrates the claimant state's effective administration of its claimed area or external recognition of its claim(s), and such actions compromises the position of rival claimants and can constitute stepping stones to acquisition by fait accompli. See, Andrew Chubb, "PRC Assertiveness in the South China Sea: Measuring Continuity and Change, 1970–2015", *International Security* 45, no. 3 (2021): 89.

[29] Dong Shijie, "论新形势下南沙群岛海域油气资源自主开发" [Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation], *Bianjie yu haiyang yanjiu* 5, no. 3 (2020): 45–57.

[30] "Video Address by State Councillor and Foreign Minister Wang Yi at the East Asia Summit Foreign Ministers' Video Meeting", Ministry of Foreign Affairs, 9 September 2020. http://kw.china-embassy.gov.cn/eng/zgxw/202009/t20200911_1572827.htm.

[31] EIA, "China", latest update, 8 August 2022, https://www.eia.gov/international/analysis/country/CHN.

[32] For example, the Chinese foreign ministry's spokesperson Zhao Lijian asserted in April 2021 during the Whitsun Reef incident that the hundreds of Chinese fishing vessels swarming the area were ordinary Chinese fishermen taking shelter from bad weather. The Chinese Embassy in the Philippines similarly claimed, "There is no Chinese Maritime Militia as alleged." However, this assertion is not supported by weather conditions in the area during the incident or substantial evidence presented in scholarly work, such as a report released by the Center for Strategic and International Studies' Asia Maritime Transparency Initiative (CSIS AMTI) in November of the same year. Moreover, China's stated position also contradicted its own subsequent actions. One of the recipients of 1 July Medal (the highest honour awarded by the Chinese Communist Party) in 2021

was Wang Shumao, a leader of the Tanmen maritime militia, in recognition for his contributions to developing "civilian forces to safeguard legitimate rights in the South China Sea" and leading "the way in resolutely safeguarding China's territorial integrity and maritime rights". Another telling example is China's militarization of its artificial islands, despite the Chinese President Xi Jinping's public commitment not to. MFA, "Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on April 6, 2021", 6 April 2021, http://pk.china-embassy.gov.cn/eng/fyrth/202104/t20210406_8908764.htm; "中国驻菲律宾使馆: 没有所谓'中国海上民兵船'" [China's Embassy in the Philippines: There Is No "Chinese Maritime Militia" as Alleged], Sina, 22 March 2021, https://finance.sina.com.cn/tech/2021-03-22/doc-ikkntiam6386409.shtml; "South China Sea: Chinese Boats Keep Up Steady Presence at Disputed Whitsun Reef, Says US Ship Tracker", *South China Morning Post*, 22 April 2021, https://www.scmp.com/news/china/diplomacy/article/3130676/china-present-whitsun-reef-and-surrounds-2019-says-us-group; Gregory B. Polling, Tabitha Grace Mallory, Harrison Pretat, and the Center for Advanced Defense Studies, *Pulling Back the Curtain on China's Maritime Militia*, CSIS AMTI, November 2021; "'South China Sea Guardian' Awarded July 1 Medal for His Steadfast Devotion to Country", *People's Daily Online*, 16 August 2021, http://en.people.cn/n3/2021/0816/c90000-9884591.html; "China's President Pledges No Militarization in Disputed Islands", *Wall Street Journal*, 25 September 2015, https://www.wsj.com/articles/china-completes-runway-on-artificial-island-in-south-china-sea-1443184818.

[33] Zhu Feng, "南海主权争议的新态势: 大国战略竞争与小国利益博弈—以南海'981'钻井平台冲突为例" [New Trend in the South China Sea Disputes: Strategic Competition among Great Powers and Interests Game of Small Countries—A Case Study of the HYSY-981 Clash in South China Sea], *Dongbeiya luntan* 2 (2015): 3–17; Wu Shicun, "南海问题的起源、发展及演变" [Current Situation and Future Trend of the South China Sea], *Haiyang faxue yanjiu* 3 (2018): 95–96.

[34] "中国更需务实行动" [China Needs Pragmatic Actions More], *Zhongguo shiyou shihua* 10 (2012): 27–31.

[35] Wang Peiyun, "中国南海油气开发与主权维护" [China's Exploitation of Oil and Gas in the South China Sea and Defense of Its Sovereignty], *Guoji shiyou jingji* 10 (2012): 1–4.

[36] International Crisis Group, *Vietnam Tacks Between Cooperation and Struggle in the South China Sea*, 7 December 2021, https://www.crisisgroup.org/asia/north-east-asia/china/318-vietnam-tacks-between-cooperation-and-struggle-south-china-sea.

[37] "The 2012 Law of the Sea of Vietnam", *Vietnam Law*, 2 July 2012, https://vietnamlawmagazine.vn/the-2012-law-of-the-sea-of-vietnam-4904.html.

[38] Dong, "Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation".

[39] "谁在盗采南海油气" [Who Are Stealing Oil and Gas in the South China Sea?], *Zhongguo shiyou shihua* 15 (2016): 22–26.

[40] EIA, "South China Sea".

[41] Hu Bo, "海洋石油 981 西沙首秀引发的猜测" [Speculations Provoked by HYSY-981's Debut in the Paracels], Peking University Center for Maritime Strategy Studies, 6 August 2014, https://cmss.pku.edu.cn/info/1062/1293.htm.

42 Ankit Panda, "China's HD-981 Oil Rig Returns, Near Disputed South China Sea Waters", *The Diplomat*, 27 June 2015, https://thediplomat.com/2015/06/chinas-hd-981-oil-rig-returns-to-disputed-south-china-sea-waters/.

43 "South China Sea: Vietnam Halts Drilling after 'China Threats'", BBC, 24 July 2017, https://www.bbc.com/news/world-asia-40701121; "South China Sea: Vietnam 'Scraps New Oil Project'", BBC, 23 March 2018, https://www.bbc.com/news/world-asia-43507448.

44 "中国南海油田招标位置贴九段线接近越南" [China's South China Sea Oil Field Blocks Open for Bidding, Located along the Nine-Dash Line Off the Coast of Vietnam], Sina, 27 June 2012, http://mil.news.sina.com.cn/2012-06-27/1035694094.html; "Update: China Risks Flare-Up over Malaysian, Vietnamese Gas Resources", CSIS AMTI, 13 December 2019.

45 "China Hopes to Complete Talks on South China Sea Code of Conduct in 3 Years", Xinhua, 13 November 2018, http://english.www.gov.cn/premier/news/2018/11/13/content_281476388667786.htm.

46 Liu Lin, "南海形势加速演变: 中美博弈、资源争夺及法理斗争的升级" [An Increasingly Complicated Situation in the South China Sea: Heightened Internationalization and Competition for Resources], in *中国周边安全形势评估 (2021)* [*China's Regional Security Environment Review (2021)*], edited by Zhang Jie (Beijing, China: Shijie zhishi chubanshe, 2021), p. 156.

47 M. Taylor Fravel, "The Myth of Chinese Diversionary War", *Foreign Affairs*, 15 September 2023, https://www.foreignaffairs.com/china/myth-chinese-diversionary-war.

48 Liu, "An Increasingly Complicated Situation in the South China Sea".

49 To be sure, Vietnam watchers outside of China may have different perspectives on how such changes in Vietnamese domestic politics may impact Hanoi's handling of the maritime disputes. See, for example, Carl Thayer, "Mythbusting Vietnam's Recent Leadership Change", *The Diplomat*, 13 March 2023. Nevertheless, understanding the drivers behind China's behaviour towards Vietnam requires an understanding of the Chinese assessment of these events.

50 Bennett Murray, "Vietnam's Quiet New Autocrats Consolidating Power", *Foreign Policy*, 7 November 2018.

51 See, for example, Cheng Hanping, "'四驾马车'改 '三驾': 越南权力结构重大变化" [Four Pillars Reduced to Three: Major Changes in Vietnam's Power Structure], *Shijie zhishi* 20 (2018): 29.

52 Cheng Hanping, "越南权力结构历史性变化与中越海上联合开发探索" [The Historical Change of Vietnam's Power Structure and the Joint Development of China and Vietnam], *Dongnanya yanjiu* 5 (2019): 58–71.

53 Zhao Weihua, "越南在南海新动向与中越关系走向" [Vietnam's New Action in the South China Sea: Motivations, Goals and Trends], *Bianjie yu haiyang yanjiu* 5, no. 1 (2020): 99–109.

54 "Vietnamese Police Disperse Protest of Chinese Oil Block Survey in South China Sea", Reuters, 6 August 2019, https://www.reuters.com/article/us-vietnam-china-southchinasea-idUSKCN1UW0GQ; "Anti-China Protests and Crackdowns in August 2019: A Review", The 88 Project for Free Speech in Vietnam, 5 September 2019, https://the88project.org/anti-china-protests-and-crackdowns-in-august-2019-a-review; "Experts Call for Vietnam to Sue China in International

Court on South China Sea Incursions", *Radio Free Asia*, 9 October 2019, https://www.rfa.org/english/news/vietnam/lawsuit-10092019152725.html.

55 Carl Thayer, "Vietnam's Party Central Committee Has Three Options to Deal with China in Vanguard Bank", *Radio Free Asia*, 2 October 2019, https://www.rfa.org/english/commentaries/vietnam-vanguard-10022019122923.html.

56 "越共中央总书记、国家主席阮富仲会见河内市选民" [CPV Party Secretary and President Nguyen Phu Trong Meet with Voters of Hanoi], *Vietnamplus*, 15 October 2019.

57 Zhao, "Vietnam's New Action in the South China Sea".

58 Dong, "Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation".

59 International Crisis Group, *Stirring Up the South China Sea (IV)*.

60 Lin Qi, "中菲南海油气勘探开发合作尚有何障碍" [What are the Remaining Obstacles to China-Philippine Cooperation for Oil and Gas Development in the South China Sea], National Institute for South China Sea Studies, 26 October 2020, http://www.nanhai.org.cn/review_c/486.html.

61 Zeng Yong, "构建人类命运共同体与南海困局破解" [Building a Community of a Shared Future for Humankind and the South China Sea Dilemma], *Guizhousheng dangxiao xuebao* 4 (2019): 122–28.

62 "Joint Statement between the People's Republic of China and the Republic of the Philippines", 6 January 2023, https://www.fmprc.gov.cn/eng/zxxx_662805/202301/t20230105_11001064.html.

63 Qi Huaigao, "马来西亚的共同开发政策及中马共同开发前景" [Malaysia's Policies on Joint Development and the Prospect of China-Malaysia Joint Development], *Taipingyang xuebao* 29, no. 10 (2021): 64–76.

64 "中华人民共和国和马来西亚联合公报" [PRC-Malaysia Joint Communiqué], 15 December 2005, https://www.mfa.gov.cn/web/ziliao_674904/1179_674909/200512/t20051215_9867426.shtm; Dong, "Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation".

65 "Who Are Stealing Oil and Gas in the South China Sea"; Jiang Li, "马来西亚在南海的战略利益分析" [Analysis of Malaysia's Strategic Interests in the South China Sea], *Guangdong haiyang daxue xuebao* 34, no. 2 (2014): 29–32.

66 Jiang, "Analysis of Malaysia's Strategic Interests in the South China Sea".

67 Chen Xiangmiao, "中马南海争议的现状及管控前景" [China-Malaysia Disputes in the South China Sea: The Status and the Prospect for Dispute Management and Control], *Shijie zhishi* 13 (2021): 59.

68 Li, "Policy Adjustment in Resources Development in the South China Sea"; Zhu, "New Trend in the South China Sea Disputes"; Dong, "Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation".

69 Dong, "Offshore Petroleum Self-Development in the Waters of Nansha Archipelago under New Situation".

70 Zhang Liangfu, "南海海洋权益维护的法律和体制机制保障问题研究—以油气开发为突破口" [A Study on Legal and Institutional Support Systems for South China Sea Maritime Rights Protection—Using Oil and Gas E&P to Make a Breakthrough], *Nanhai faxue* 3 (2017): 92–99.

71 "时殷弘谈当前与未来的世界格局" [Shi Yinhong Discusses the Current and Future Structure of the International System], Center for International Security and Strategy, Tsinghua University, 28 May 2021, http://ciss.tsinghua.edu.cn/info/zlyaq/3594.

72 Kang Lin, "海南在南海问题中的作用—兼谈区域竞争与发展" [Hainan's Role in the South China Sea Issue—and Implications for Regional Competition and Development], *Xindonfang* 4 (2012): 17–20

73 Zhang, "A Study on Legal and Institutional Support Systems for South China Sea Maritime Rights Protection".

74 Tyler Jost, "The Institutional Origins of Miscalculation in China's International Crises", *International Security* 48, no. 1 (2023): 84.

75 Taylor Fravel, "Hainan's New Fishing Rules: A Preliminary Analysis", *The Diplomat*, 10 January 2014, https://thediplomat.com/2014/01/hainans-new-fishing-rules-a-preliminary-analysis/.

76 "China Denies Reports of Building on Disputed Shoal", Reuters, 21 March 2017, https://www.reuters.com/article/uk-southchinasea-china-philippines-idUKKBN16T0TV.

77 Raffaello Pantucci and Alexander Petersen, *Sinostan: China's Inadvertent Empire* (New York, NY: Oxford University Press, 2022), p. 48.

78 Michael D. Swaine, "China's Assertive Behavior—Part One: On 'Core Interests'", *China Leadership Monitor* 34 (2011), https://www.hoover.org/research/chinas-assertive-behavior-part-one-core-interests.

79 Luo Guoqiang and Liu Chenhong, "历史性水域的性质与协调—以南海断续线内水域为研究对象" [The Nature and Adjustment of the Historic Waters—With Respect to the Waters within Dashed Line], *Guoji luntan* 20, no. 1 (2018): 1–7; Luo Guoqiang and Liu Chenhong, "中国历史性权利的定位与出路" [The Orientation and Outlet of Historic Rights], *Nantong daxue xuebao* 34, no. 1 (2018): 54–61.

80 Liu, "An Increasingly Complicated Situation in the South China Sea".

81 "Zhongguo 'yidaiyilu' daxiangmu xiangji kaigong, daidong dongnanya jingji fazhan" [Construction of BRI Mega Projects Started, Accelerating Southeast Asia's Economic Development], Xinhua, 17 August 2017, https://www.imsilkroad.com/news/p/45620.html.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 494–519 DOI: 10.1355/cs45-3m
 ISSN 0129-797X print / ISSN 1793-284X electronic

Non-Interference versus Self-Determination: ASEAN's Cold War Normative Framework

SHARON SEAH

Using the Indonesian annexation of East Timor in 1975 and Vietnam's occupation of Cambodia between 1978 and 1989 as case studies, this article examines how ASEAN understood the principles of non-intervention and non-interference as juxtaposed against the right to self-determination in the 1970s. As ASEAN's first "crises" in its formative years, they illustrate how the bloc's initial norm-making processes evolved as individual member states attempted to make their case for or against intervention. The article contends that ASEAN's principles of non-intervention and non-interference are non-static and adaptive. It also suggests that while ASEAN's normative framework may have been sufficiently accommodative of its members' different standards and approaches towards protecting sovereignty, the right to self-determination and independence in the past, it is questionable whether the adherence to non-interference would be sufficient for the grouping to address the present crisis in Myanmar and future challenges.

Keywords: ASEAN, Cold War, principle of non-interference, annexation of East Timor, Vietnam-Cambodia conflict.

In April 1955, the leaders of 29 recently decolonized Asian and African countries met for a historic gathering in Bandung, Indonesia, to reaffirm their rights to sovereignty, self-determination, territorial

SHARON SEAH is Senior Fellow and Coordinator at the ASEAN Studies Centre, ISEAS – Yusof Ishak Institute. Postal address: 30 Heng Mui Keng Terrace, Singapore, 119614; email: sharon_seah@iseas.edu.sg.

integrity and racial equality.[1] Known as the "Asian-African Conference" or the "Bandung Conference", the meeting was an attempt by many of the newly independent Third World countries to make sense of the international political order that had preceded their independence.[2] Western Europe was experimenting with federalism, pooling their national sovereignties in a collective effort to limit the powers of the modern nation-state and thus eradicate the root causes of Europe's recent conflicts and disorder, namely the Second World War.[3] Whereas Europe's solution was to create the European Economic Community in 1957, the precursor of the European Union (EU), the newly decolonized states in Asia and Africa wanted to embrace statehood and assert their national sovereignty.

Although no Asian and African regional organization emerged, the Bandung Conference's influence on the concept of Third World sovereignty, territorial integrity and non-interference during the Cold War was significant.[4] Post-Bandung developments showed that those states would not entertain the thought of any form of collective regionalism, collective security or the sharing of sovereign rights, in contrast to developments in Europe.[5] However, the normative influence of the Bandung Conference influenced a cohort of Southeast Asian countries that formed the Association of Southeast Asian Nations (ASEAN) in 1967.

This article investigates ASEAN's norm-making processes since its formation, specifically what impact its principles of non-intervention and non-interference have had on its development. The two case studies assessed in this article suggest that those principles may have been shaped more by reactions to Cold War politics than being intrinsic norms in and of themselves. The first section of the article provides an overview of the development of ASEAN's legal doctrine, including an examination of what ASEAN actually means by non-intervention and non-interference. The second and third sections explore two historical case studies, respectively: the annexation of East Timor by Indonesia in 1975; and the Vietnamese occupation of Cambodia in 1978. The final section examines how ASEAN's normative framework has been challenged in recent years.

ASEAN's Adherence to Principles and Its Ability to Act

ASEAN is nowadays hailed as the second most successful regional organization after the EU. However, unlike its European counterpart, the Southeast Asian bloc has never entertained the notion of collectivizing the national sovereignty of its members, nor the

sort of regional integration that the EU ultimately implemented. Whereas the European bloc takes a law-driven approach to regional integration, ASEAN has long been policy-driven, preferring to work through consultation and consensus.

ASEAN was created at the height of the Cold War when communist insurgencies threatened several Southeast Asian countries. Four of the five founding members—Indonesia, Malaysia, the Philippines, Singapore and Thailand—achieved self-determination and political independence between 1945 and 1965.[6] It was the political imperative to fight against the "red tide" of communist insurgencies that led to an alignment of interests among the five founding members, who sought to advance "regional cooperation" in the interests of "regional peace and stability".[7] The formation of ASEAN came with the tacit agreement among its members not to challenge each other's borders. At the same time, it was also a means of rapprochement between Malaysia, Singapore and Indonesia following the *Konfrontasi*, an armed conflict (1963–66) that was sparked by Jakarta's opposition to the formation of Malaysia from what had been the Federation of Malaya. According to Adam Malik, Indonesia's foreign minister at the time of ASEAN's formation, the bloc represented "a convergence in the political outlook of the five prospective member nations".[8] Although Southeast Asia, too, had experienced the destruction of the Second World War, its political leaders did not share their European counterparts' opinions about the dangers of the modern nation-state. Instead, they sought to protect their newly independent countries' hard-fought sovereignty.

According to Antony Anghie, the emphasis on the principles of national sovereignty and non-intervention by the attendees of the Bandung Conference was the result of the "humiliations of colonialism".[9] National sovereignty also forms the foundations of ASEAN's principles of non-intervention and non-interference, while the absence or violation of the national sovereignty of one member state is seen as impacting the peace and stability of the entire region.[10]

However, although ASEAN's principles of non-intervention and non-interference have been hailed as underpinning the peace and stability that its members have enjoyed for the last five decades, its adherence to those principles has been blamed for ASEAN's inability to act decisively in times of crisis. This raises the question: Why does ASEAN still adhere to these principles?

ASEAN's Legal Doctrine

The Bangkok Declaration of 1967—ASEAN's founding document—expresses the five signatories' collective political aspirations. Loosely worded, with the barest of legal obligations and accompanied by a strong emphasis on mutual assistance and cooperation, it underpinned ASEAN's actions for almost four decades until the ASEAN Charter was adopted in 2007.[11] The Bangkok Declaration's key objective was the promotion of "regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter".[12] It also states the determination of member states to "ensure their stability and security from external interference in any form or manifestation in order to preserve their national identities".[13]

Yet, ASEAN's legal doctrine—crafted in the late 1960s and reformed in the 1970s—also carried strong elements of Cold War thinking. During the first few years after it was founded, the five ASEAN members were more preoccupied with domestic and bilateral problems than with issues of international politics or crises in Southeast Asian countries that were not members of the bloc.[14] In 1971, however, ASEAN leaders signed a declaration for the Zone of Peace, Freedom and Neutrality (ZOPFAN), which had its origins as a Malaysian "neutralization proposal" at the Third Summit Conference for the Non-Aligned Movement (NAM) the previous year. Malaysia was keen to ensure "political neutrality" by eliciting guarantees from the world's major powers—the United States, China and the Soviet Union—to respect Southeast Asia's neutrality and to prohibit interventions by these countries in the affairs of smaller states.[15] Exactly how Malaysia intended to go about securing such guarantees was unclear; there was no agreement between ASEAN states to support Malaysia's proposal at the Non-Aligned Movement Conference.[16] The ZOPFAN declaration eventually became a "political compromise cobbled together to accommodate ASEAN states with strongly divergent strategic perspectives" and merely an aspirational expression for ASEAN. Indeed, it was not significant as a declaration because it only called for "initially necessary efforts" to secure Southeast Asia's recognition as an area of peace, freedom and neutrality, therefore free from foreign interference, and for its members to make "concerted efforts to broaden areas of cooperation". However, these efforts were not

carried out in any meaningful way until 1976, when ASEAN held its inaugural summit and its members signed the Treaty of Amity and Cooperation in Southeast Asia (TAC), a more explicit peace treaty between ASEAN states.[17] As such, the TAC overtook the ZOPFAN declaration because it went beyond mere aspirations to become an actual peace pact between the ASEAN members and was later extended to include outside powers.

In 1976, ASEAN leaders met for the first time and adopted two key documents: the TAC and the Bali Concord, which managed intra-regional relations. The TAC became central to ASEAN's management of relations inside and outside the region and overtook the ZOPFAN declaration to become the bloc's main security framework agreement. Signing up to the TAC became a prerequisite for both ASEAN membership and dialogue partnership, thereby defining how non-members interact with ASEAN. It served as a "code of conduct" in ASEAN-led regional security mechanisms, such as the ASEAN Plus Three (APT), ASEAN Regional Forum (ARF) and East Asia Summit (EAS).[18] The agreement outlines six fundamental principles: mutual respect for independence, sovereignty, equality, territorial integrity and national identity; the right of states to lead their national existence free from external interference, subversion or coercion; non-interference in the internal affairs of one another; pacific settlement of disputes; renunciation of the threat of use of force; and effective cooperation.[19] Article 10, for instance, obliges signatories not to participate in any activity that could "constitute a threat to the political and economic stability, sovereignty, or territorial integrity" of another signatory.[20]

The second document adopted in 1976, the Bali Concord, set out key principles and objectives for intra-ASEAN regional cooperation. Adopted "in the pursuit of political stability", it emphasized that the stability of each state (and of the region) was an "essential contribution to peace and security" and compelled members to "eliminate threats posed by subversion to its stability".[21] Among other things, the Bali Concord called for the creation of an ASEAN community "in accordance with the principles of self-determination, sovereign equality and non-interference in the internal affairs of nations".[22] It laid the foundations for an internal ASEAN community, whereas ZOPFAN and the TAC were used to manage the bloc's external relations. At the time, however, ASEAN's founding members did not envisage the creation of any form of regionalism. According to S. Rajaratnam, Singapore's then foreign minister, "the motivation

behind ASEAN was not belief in the merits of regionalism as such, but it was more a response … to the Western abandonment of its role as a shield against communism".[23]

Two key developments prompted ASEAN to seriously examine the "positive aspects" and "intrinsic merits" of regionalism.[24] The first development was the end of the Vietnam War in 1975. Although almost all US troops had left Vietnam by 1973, the last contingent departed on 30 April 1975 as Saigon fell to the communist North. The five ASEAN members feared that an American withdrawal would create a political vacuum and attract unwanted attention from other outside powers, specifically the Soviet Union and the People's Republic of China (PRC). The second development was the impending global economic crisis of the 1970s, marked by surging costs of oil imports and stagnation in the developed world. The economic crisis restricted the flow of development aid to Southeast Asia and led many developed countries to engage in protectionist policies, fearful of their own economic competitiveness being eroded by "cheap labour" in the developing world.[25]

As well as these immense changes in world politics, ASEAN states were still fearful of outside interference in their internal affairs. With the Cold War causing many proxy wars to be fought across the world, including in Indochina, ASEAN members believed that they had to be militarily, politically and economically self-reliant if they were to survive.[26]

However, ASEAN's claimed acceptance of the principles of international law was vague and ambiguous during the 1960s and 1970s, while its actions were inconsistent. Many newly independent nation-states in Asia and Africa were adopting a Westphalian notion of sovereignty—an idea that arose in seventeenth-century Europe in which sovereign states possess the monopoly of force within their mutually recognized territories—in order to be accepted in international society. But how and in what ways did these decolonized states interpret their "particular idea of the nation-state"?[27] Amitav Acharya contends that norms are contested and diffused by weak states as a form of protest against strong actors in a process he calls "norm subsidiarity".[28] The principles of sovereign equality, non-intervention and non-interference—as well as of non-aggression, peaceful settlement of disputes and respect for the rule of law—as articulated by ASEAN's early documents, correspond generally with the principles of the 1945 United Nations Charter and the ten principles of peaceful coexistence issued at the Bandung Conference.[29]

Yet, the normative framework of ASEAN, embedded with sufficient ambiguity and ambivalence, was a useful way of accommodating the shifting priorities and concerns of each of its members at that time. ASEAN adopted a highly accommodative and flexible approach in practice. In the process, it projected the particularities of legal norms that were deemed beneficial to the bloc.

ASEAN's Meaning of Non-Intervention and Non-Interference

According to Lee Jones, much of the existing literature on ASEAN has focused on the role of the "norm of non-interference in states' internal affairs as central to the role the Association has played in deconflicting regional tensions".[30] Many scholars contend that the doctrine of non-interference is the reason for the absence of full-scale conflict between member states since ASEAN's formation.[31] This norm is a "cherished principle" of the Realist school of International Relations, but Constructivists argue that this distinct identity—referred to as the "ASEAN Way"—evolved more organically.[32] Furthermore, some scholars believe that the consensus on ASEAN's adherence to non-interference and non-intervention is "misplaced" because it does not reflect the realities of regional politics when examples of intervention and interference have taken place.[33] Others question its relevance entirely.[34] Perhaps one reason for such a plethora of interpretations comes down to definitions. Political Science and International Relations scholars tend to use the terms "non-intervention" and "non-interference" interchangeably, emphasizing the political character of the principles while paying little regard to their legal application.[35] There is an assumed universalism attached to these principles; the idea that no state will deliberately seek to violate the sovereignty and territorial integrity of another state.

There is also a significant overlap in the way that the meaning and scope of the principles of non-intervention and non-interference have been crafted. The two principles are embodied by fairly distinctive legal characteristics.[36] Conventional views of the legal concept of intervention focused on the threat or the use of force against another state.[37] As a result, the prohibition of the threat or use of force and aggression became integral to the principle of non-intervention. Yet, the meaning of "intervention" can fall short of military action and can also be interpreted to include economic sanctions and political pressure—or any other coercive measures. As a result, non-intervention carries a notion of rejecting force in actions, coercion or subversion.

This is where non-intervention segues into non-interference. According to Oppenheim's International Law, "interference" is non-forcible and non-dictatorial.[38] Only where interference possesses an element of coercion can it be constituted as intervention.[39] Political and economic actions by one state against another may therefore be defined as intervention only when there is a coercive effect.[40] In international law, "non-interference" is conceptualized more broadly and is based on normative relativity, whereas "non-intervention" is less abstract and is couched in legal formalism.

In ASEAN, where such principles are more loosely defined, rather than legally based, the concept of "non-interference" is understood as not meddling in the internal affairs of its members, refraining from criticism of another member, and not lending any material support to political opposition groups of a fellow member.[41] However, the formulation of these principles in ASEAN's early years could have influenced the interpretation and subsequent practice of these principles. For instance, it is worth noting that two ASEAN member states, the Philippines and Thailand, contributed military forces to the Vietnam War.[42] Vietnam would only join the bloc in 1995. Hence, there were certainly discrepancies in the way non-interference was viewed inside and outside the bloc, and normative changes in the interpretation of these principles, with the admission of newer members, were inevitable. Non-interference became enmeshed with ASEAN's modality of consultation and consensus decision-making to form what is called the "ASEAN Way".

By 1999, ASEAN membership had expanded from its original five members to ten. Brunei joined in 1984, the same year it gained independence from the United Kingdom. Because the communist threat was no longer as acute as it had been in the 1970s, communist-run Vietnam and Laos were admitted as new members in 1995 and 1997, respectively. Myanmar was admitted in 1997 and Cambodia two years later. With changes to the geopolitical environment in the early 2000s, as the region tackled new challenges of economic integration, the grouping decided that the creation of its own "constitution" was needed to codify norms and behaviour. In 2005, the leaders of the member states asked a group of "highly distinguished and well-respected citizens" from ASEAN member states to form an Eminent Persons Group to make recommendations for a charter that would realize their vision of an ASEAN Community as articulated in the ASEAN Vision 2020, a blueprint for regional integration that was adopted in 1997.[43] The

ASEAN Charter they produced was supposed to codify ASEAN's norms and values.[44]

However, the Charter does not use the word "non-intervention". Instead, it references "non-interference" (in Articles 2e and 2f) and guarantees members the right to their national existence without "subversion and coercion". Although there is no mention of "non-intervention" in the ASEAN Charter, Articles 2e and 2f, when accompanied by references to "subversion or coercion", can be understood to constitute "intervention". When necessary, member states may use the right to non-intervention in legal argumentation for the preservation of their interests, but the same prohibition on interference can be conveniently ignored when countering political forces inimical to their interests. As such, the principle of non-interference has become part of ASEAN's normative culture in its decision-making processes based on consultation and consensus. However, the way that ASEAN applies it today and how it was interpreted back in the days when the threat of intervention or interference was much greater is complicated. In the sections below, the author will use two case studies—the Indonesian annexation of East Timor in 1975 and Vietnam's occupation of Cambodia between 1978 and 1989—to explore how ASEAN member states interpreted and used the principles of non-intervention and non-interference between the 1970s and 1990s, and then contrast it with the present-day constraints faced by ASEAN member states because of the ongoing political crisis in Myanmar that was precipitated by a military coup in February 2021.

The Annexation of East Timor

On 7 December 1975, Indonesia invaded East Timor. Previously, Jakarta had declared public support for the former Portuguese colony's right to self-determination and renounced any intention to annex the territory.[45] However, fears over the spread of communism triggered a change of opinion. In December 1974, the reformist military government that had come to power in Portugal during the "Carnation Revolution" announced its intention to divest the country of its remaining overseas colonies in Africa and Asia, including East Timor. By the following year, FRETILIN (*Frente Revolucianaria de Timor Leste Independente*) had emerged as the largest political party in East Timor and on 28 November 1975 declared independence from Portugal. However, believing that FRETILIN was left-leaning

and Marxist-backed, Indonesia drastically reversed its policy of respecting the self-determination of the East Timorese people. News that Lisbon had despatched Marxist agents to East Timor to speed up the decolonization process added to Jakarta's alarm.[46]

The Indonesian government, under the dictatorship of Suharto, became convinced that the only viable way for East Timor to achieve self-determination was through integration with Indonesia. Jakarta created, funded and supported a new Timorese political party, APODETI (*Associação Popular Democratica Timorense*), to campaign for home rule through integration.[47] APODETI then consolidated some of East Timor's smaller political parties into a coalition for integration. In November 1975, however, FRETILIN pre-emptively and unilaterally declared independence, but its declaration was recognized by only 15 countries. This prompted APODETI to denounce FRETILIN and declare their preference for independence through integration with Indonesia.[48] Indonesian forces invaded the country in early December. Eleven days later, a provisional government was installed by Indonesia on 18 December 1975.[49] In July 1976, East Timor was absorbed into Indonesia as its 27th province, beginning an occupation that lasted until 1999.[50] Indonesia's actions both before and after the invasion were nothing short of armed intervention.

The United Nations General Assembly (UNGA) and Security Council (UNSC) unanimously deplored Indonesia's actions in two separate resolutions which called for the immediate withdrawal of Indonesian troops and affirmed East Timor's inalienable rights to self-determination.[51] A second UNSC resolution was passed on 22 April 1976, but on this occasion, the United States and Japan abstained. Indonesia did not put forward any coherent legal arguments to justify its invasion[52] and claimed self-defence, due to alleged incursions of FRETILIN's armed groups into West Timor. The UN documents did not elaborate on Indonesia's motives.[53]

Despite repeated assurances by the Indonesian government that it would respect the principle of self-determination, the annexation of East Timor was triggered by fears of the spread of communism supposedly by agents supported by the Soviet Union or China.[54] This factor was not presented in the meeting records of the UNGA or UNSC but key actors—Australia, Malaysia, the Philippines, Thailand and Singapore—presumably understood Indonesia's intentions.[55] For instance, US President Gerald Ford met with Indonesian President Suharto on 6 December 1975, the day before Indonesian forces

invaded East Timor. Having been kept closely apprised by the Suharto regime, which was more or less aligned with the West, these countries barely intervened, abstaining from UN resolutions that were inimical to Indonesian—and by extension—their own interests.[56]

Before taking military action, Jakarta had convinced the United States, Australia and its ASEAN partners that the invasion was necessary for regional stability and order. Australian government documents declassified in 2000 reveal the depth of Canberra's knowledge about Indonesia's intentions.[57] According to a leaked memo, US Secretary of State Henry Kissinger instructed the US Ambassador in Jakarta not to "involve himself in discussions on Timor … [because] the US is involved in enough problems of greater importance".[58] Malaysia, Thailand, the Philippines and Singapore were also closely briefed by Jakarta.[59]

Despite ASEAN's stated adherence to the principle of non-intervention—either because they were signatories of the UN Charter or because of ASEAN's founding principles—its members were persuaded by Indonesia that annexation was an opportunity for East Timor to gain independence through integration, and that this option would protect the region from communist interference. For two years, Singapore abstained from UN resolutions regarding East Timor and refused to either support or condemn Indonesia's actions. Indonesia reacted to Singapore's abstentions by boycotting Singapore receptions in Jakarta and it was a year later that Indonesia accepted Singapore's position that if it had voted with Indonesia, Singapore would have sent the wrong signal.[60] This suggests, however, that Singapore was cognizant of the implications of supporting Indonesia's intervention. According to Lee Jones, Singapore's reticence was not on the point of principle but because it would have preferred covert, not overt, military operations in East Timor.[61] Whatever the reason, Singapore saw a need to maintain the principle of non-intervention, even if illusorily.

How did this clear-cut violation of international law escape condemnation from the international community? Between 1975 and 1982, the UNGA adopted a resolution every year calling for Indonesia's withdrawal from East Timor.[62] After 1982, the issue moved to the UN's Special Committee on Decolonization and thereafter the issue of East Timor's self-determination flitted in and out of the UN's agenda for 24 years, often relegated to backroom discussions.[63] The UNGA's acceptance of the use of force by Indonesia was maintained

as long as the critical interests of the major powers were threatened. In turn, Indonesia's argument revolved around granting autonomy through integration, not independence, thus condemning the issue to indeterminacy.

Although Indonesia's military intervention was a violation of Article 2(4) of the UN Charter, some ASEAN states provided political and material support that enabled Jakarta to avoid international condemnation under the guise of maintaining regional stability and order. With help from Malaysia, Indonesia tried to quell discussions at the UN about East Timor by arguing that since it was already an integrated province of Indonesia, any discussion on this issue constituted interference in Indonesia's domestic affairs. Ironically, despite Jakarta's prominent role in creating the Non-Aligned Movement, the latter was the most vocal in condemning Indonesia for "third-world imperialism".[64]

Nonetheless, the perceived communist threat—amplified in Southeast Asia by the fall of South Vietnam—was used by Indonesia as a hegemonic strategy to secure acquiescence, if not active support, from some members of ASEAN for its illegal annexation of East Timor. It is useful to consider the realist, instrumentalist assessment of Indonesia's behaviour. It was argued that the US military's withdrawal from the region would create a political and military vacuum, which, in turn, would create a sense of instability for countries such as Singapore. According to Lee Kuan Yew, Singapore's prime minister during this period, the threat of instability was so unbearable that it justified one "to close two eyes" to what was happening in East Timor.[65] Despite abstaining from UN resolutions on East Timor, Singapore was perhaps sympathetic to the idea of self-determination through merger, which was a narrative used by Singapore's ruling People's Action Party (PAP) back in 1959, when Singapore was still part of Malaya, to secure self-government for the territory of Singapore.[66]

East Timor's fate was eventually changed by the 1997 Asian Financial Crisis and the ensuing political crisis in Indonesia that led to the fall of Suharto in 1998, as well as vocal criticism of the occupation from civil society groups within Indonesia. In 1999, Jakarta decided to end its occupation of East Timor and allowed the territory to hold a referendum on independence in August of the same year. Some 78 per cent of East Timorese voted to reject remaining part of Indonesia with special autonomy and instead opted for separation. In 2002, Timor-Leste formally became an independent, sovereign state.

Vietnam's Occupation of Cambodia

Vietnam's occupation of Cambodia between 1978 and 1989 has often been cited by scholars as the classic example of ASEAN's adherence to its principles of non-intervention and non-interference.[67] The Cold War in Southeast Asia centred around what had previously been French Indochina, which included Vietnam, Laos and Cambodia. Three separate "Indochina Wars" took place between 1946 and 1989 involving, at various junctures, the direct military involvement of France, the United States and China as well as material support from the Soviet Union. In 1975, the Beijing-backed Khmer Rouge seized power in Cambodia, ousting the US-backed Khmer Republic. On 25 December 1978, troops from the recently unified Vietnam invaded Cambodia after months of border skirmishes between the two countries. The Vietnam-Cambodia political equation was deeply complicated by geopolitics. Whereas communist Vietnam was supported by the Soviet Union, the communist Khmer Rouge in Cambodia was backed by Beijing. Partly because of the Sino-Soviet split, Sino-Vietnamese relations worsened during the 1970s.[68] In January 1979, Vietnamese troops toppled the genocidal Khmer Rouge regime and installed a puppet regime called the People's Republic of Kampuchea (PRK). China responded with a major military incursion into northern Vietnam on 17 February 1979—starting the "Third Indochina War"—but withdrew a month after the attack.[69] According to Beijing, it wanted to "teach Vietnam a lesson".[70]

Vietnam justified its invasion of Cambodia as an act of self-defence in response to Khmer Rouge incursions into its territory. Self-defence is justifiable and legitimate under Article 51 of the UN Charter, but Vietnam's prolonged occupation of Cambodia, which lasted more than a decade, stretched the self-defence argument. Vietnam also asserted that it needed to intervene in Cambodia to protect Vietnamese nationals as well as Cambodian nationals from the Khmer Rouge regime.[71] According to one observer, Vietnam's claims that it had a responsibility to protect its own nationals were tenuous as the ethnic Vietnamese who had lived in Cambodia since the mid-nineteenth century had familial links to Vietnam but not citizenship.[72] Although justifications were not made on the basis of humanitarian intervention, the Vietnamese did make references to the "extremely barbarous policy" of the Khmer Rouge.[73] At first, many Cambodians saw the Vietnamese as liberators against the oppressive Khmer Rouge, but they overstayed their welcome

by refusing to commit to a total withdrawal of their troops until 1989. At that time, the international community did not know the full extent of the Khmer Rouge's atrocities yet. Moreover, the concept of humanitarian intervention had yet to be developed, preventing Vietnam from justifying its actions based on humanitarian grounds. Instead, a major motive for Vietnam's actions was to prevent a security crisis from developing given that after 1975, the Khmer Rouge had repeatedly attacked Vietnam's territories. Some of these attacks, such as the one in the town of Ba Chuc in An Giang Province in April 1978, led to the massacre of thousands of Vietnamese. Some scholars also consider such attacks a threat to Hanoi's hold on southern Vietnam, to the extent that "the victory of 1975 itself was at stake".[74]

Just three years after Indonesia annexed East Timor, ASEAN made its mark on the international stage with a robust condemnation of Vietnam's invasion of Cambodia, leading some observers to call it "the greatest diplomatic success of ASEAN's first quarter century". ASEAN's initial reactions to Vietnam's incursion in December 1978 had been "tepid" at best because of intra-ASEAN differences.[75] Members were divided between the "hard-liners" (Thailand and Singapore) and the "soft-liners" (Indonesia and Malaysia).[76] Thailand's chief concern was the possibility of losing Cambodia as a buffer against Vietnam whereas Singapore felt that it was necessary to "take a clear stand against the introduction of such a principle which justified the armed overthrow of one government by another".[77] Singapore argued in the UN that while ASEAN was not in favour of the Khmer Rouge regime, it "wished to protect the principles of territorial integrity, sovereignty and independence".[78] Indonesia—conscious of the parallels between its own actions in East Timor and Vietnam's occupation of Cambodia—feared international repercussions as the issue of East Timor remained active in the UN. Malaysia was more concerned about China producing communist subversives in Southeast Asia in the long run.[79] The Philippines—physically distanced from mainland Southeast Asia and from the situation in Cambodia—was neutral.

As a result of these differences, the ASEAN Standing Committee—equivalent to the Senior Officials' Meeting—issued a letter on 9 January 1979 to the UN that expressed grave concerns about the impact of the Vietnamese invasion of Cambodia on the region, support for the convening of UNSC meetings to discuss the conflict and a proposal for the UNSC or its representative to visit the area.[80] A subsequent letter, dated 12 January 1979,

included a joint statement by the ASEAN Foreign Ministers that went further by deploring the armed intervention, reaffirming the Cambodian people's right to self-determination and demanding the withdrawal of Vietnamese troops from the country.[81] ASEAN subsequently introduced a draft resolution at a UNSC meeting on 16 March 1979 calling on "all foreign forces engaged in the situation in Democratic Kampuchea to scrupulously observe an immediate cease-fire, to put an end to hostilities, and to withdraw from that country". It also demanded "that the parties concerned should adhere strictly to the principle of non-interference in the internal affairs of States". The draft resolution was well-received but did not pass because of a veto by the Soviet Union, an ally of Vietnam.[82] Eventually, ASEAN succeeded in sponsoring and adopting a non-binding UNGA resolution in November 1979 calling for humanitarian assistance for Cambodian refugees, the withdrawal of foreign forces from the country and for other countries to refrain from intervening or interfering in the internal affairs of Cambodia. This resolution (UNGA 34/22) would prove to be the hook that ASEAN used to keep the situation in Cambodia alive at the UN. Vietnam's introduction of a rival resolution—dubbed "The Question of Peace, Stability and Cooperation in Southeast Asia"—was co-sponsored by other socialist countries but did little to undermine support for the ASEAN-sponsored resolution.[83] Due to ASEAN's efforts, largely spearheaded by Singapore, not only was its resolution adopted annually, but it was also adopted with an increasing number of "yes" votes every year.[84] Strategically, ASEAN and its allies also fought hard at the UN Credentials Committee to make sure that Democratic Kampuchea (DK)—the official name of the Khmer Rouge regime—retained its UN seat. They argued that to keep the seat vacant would be to condone armed intervention in Cambodia.[85]

Beyond its diplomatic lobbying at the UN and NAM,[86] ASEAN supported the creation of the Coalition Government of Democratic Kampuchea (CGDK) that opposed the Vietnamese-backed PRK regime. Formed in Kuala Lumpur in June 1982, the coalition comprised of seemingly antagonistic groups: Prince Norodom Sihanouk's party FUNCINPEC (*Front uni national pour un Cambodge indépendant, neutre, pacifique, et coopératif*), a notionally democratic band of exiled figures; the Khmer Rouge; and the Khmer People's National Liberation Front, an anti-communist military force. According to Lee Kuan Yew, the CGDK was formed "to preserve the DK seat

in the UN and alter the leadership of the Government of DK".[87] It was used as a vehicle to present a legitimate front in Cambodia's struggle for self-determination against the Vietnamese-backed government and became eminently useful in ASEAN's international lobbying strategy.

However, getting a tripartite coalition on board was just one part of the hurdle. The greater challenge was getting the United States, the Soviet Union and China to support—or at least not object to—the CGDK. Washington and Moscow were the easier of the three powers to persuade. China remained firmly opposed to the possibility of a pro-Vietnamese government emerging from the coalition and was unwilling to withdraw support for the Khmer Rouge.[88] However, China was prepared to accept a coalition that would resist the Vietnamese.[89] ASEAN's interlocutors argued that China should support the CGDK because the Cambodian people deserved self-determination and independence, regardless of political partisanship.[90] In response, Beijing asserted that if that was what ASEAN wanted, the regional bloc had to "by the same logic be prepared to accept a government of the Communist Party of Kampuchea [the Khmer Rouge] if it was their choice".[91] In part because of ASEAN's diplomatic lobbying, the Cambodian conflict was eventually brought to a conclusion through the Paris Peace Accords in 1991. However, according to some observers, the winding down of the Cold War itself, in which none of the major powers had any interest in keeping the Cambodia issue alive, may have been a more important contributor to the Paris Peace Accords.

ASEAN's Evolving Normative Framework under Strain

If Cold War politics was the probable—but unspoken—reason behind Indonesia's annexation of East Timor in 1975, then the Vietnam-Cambodia crisis sparked a full-blown Cold War political discussion within the UNSC and UNGA with allegations and counter-allegations of proxy fighting, interventions and counter-interventions, as well as of blatant interference by outside powers and by the ASEAN countries themselves.[92] The inconsistency of ASEAN's actions—in 1978 it lobbied against Vietnam's military intervention in Cambodia, yet it did next to nothing when Indonesia annexed East Timor three years earlier—cannot be mistaken. One might account for the differences in ASEAN reactions by relative inexperience in international affairs or by the lack of a normative force of international legal principles.

Or one could argue that it was because of the non-interference principle not being applied to non-members of the grouping; East Timor, Cambodia and Vietnam were not members of ASEAN at the time of these respective conflicts. In the case of East Timor, Singapore, a small state, eventually placed collective self-interest above all other concerns. In contrast, the Cambodian crisis resulted in a collective response from ASEAN to oppose Vietnam's military intervention, with ASEAN members actively influencing key players in Cambodian politics, such as by its prodding of the CGDK towards a path of national reconciliation. ASEAN selectively used, moulded and shaped the normative values of non-intervention and non-interference, at times blurring the lines between what was legally permissible and what was politically acceptable.

ASEAN's normative framework came under tremendous strain once again in the late 1990s after the admission of Vietnam, Laos, Myanmar and Cambodia. In 1997, Cambodia's co-prime minister, Hun Sen, ousted his power-sharing partner, Prince Norodom Ranariddh, shortly before Cambodia's expected admission into the bloc. ASEAN deemed it serious enough to abandon its norm of non-interference. Although it was an internal Cambodian matter, ASEAN registered its concern about the unconstitutional change in government because of its interest in keeping Cambodia committed to the Paris Peace Accords and eventually decided to postpone Cambodia's accession.[93] In response, Hun Sen threatened to withdraw Cambodia's application to join ASEAN and stated, "I am afraid of joining ASEAN because of ASEAN interference in internal affairs."[94] This episode led to a new concept of "constructive intervention", as proposed by Malaysia.[95] ASEAN was first lukewarm about the idea, yet in time new normative ideas, such as "constructive engagement" and "flexible engagement", were considered viable means for ASEAN to speak up on issues that impacted the whole bloc without breaching the principle of non-interference.[96]

Myanmar's intractable human rights problems and the military's grip on politics have presented a serious challenge to ASEAN since the country's admission into the bloc in 1997. In 2021, Myanmar again became the biggest challenge to ASEAN's internal unity and cohesion after the military mounted a coup against the democratically elected government of the National League for Democracy (NLD). When Myanmar joined ASEAN in 1997, the bloc was accused of using the non-interference principle as an excuse for not speaking out against political repression by Myanmar's military junta.[97] ASEAN

again came under intense international pressure in 2005 over the lack of progress in democratic reforms in Myanmar, which led to a postponement of Myanmar's chairmanship of the bloc. ASEAN's troubles continued during the "Saffron Uprising" protests of August 2007 and when Cyclone Nargis struck the country in May 2008. As a result, ASEAN turned to "constructive engagement" with Myanmar to encourage the military junta to open up political space.[98] This policy meant that ASEAN actively lobbied for change in the country. But Myanmar's problems continued to plague ASEAN, especially after nearly 700,000 Rohingyas fled the country after August 2017 following deadly violence committed by Myanmar's military forces.[99] The situation in Myanmar has further deteriorated since the 1 February 2021 coup that has brought the military back to power and hundreds of thousands of protesters onto the streets as part of a civil disobedience movement. Resistance to the military regime has resulted in the creation of People's Defence Forces, civilian militia groups, by the shadow National Unity Government (NUG).

Myanmar's peaceful transition to democracy, which began in 2011 and in which ASEAN played a role, has reached a stalemate.[100] Following the 2021 coup, ASEAN convened an emergency summit and issued a Five-Point Consensus demanding an immediate end to violence, dialogue between all parties, the appointment of a special ASEAN envoy to facilitate mediation, humanitarian assistance through the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre), and a visit of the envoy and delegation to meet all parties.[101] So far, there has been no progress on the implementation of these five objectives.[102] As a result, ASEAN made the unprecedented decision of disinviting Min Aung Hlaing, the junta leader, to the 38th and 39th ASEAN Summits, and downgrading Myanmar's representation inside the bloc to the non-political level.[103] For the first time in its history, ASEAN has acted to constrain a fellow member state at the political level. The military junta has accused ASEAN of interfering in its domestic affairs and even of "foreign intervention".[104] It remains to be seen whether ASEAN can hold the line amid calls from some member states for Myanmar's return to the fold.[105] Thailand, for instance, has initiated a series of "Track 1.5" meetings to re-engage the junta with China and India's support.[106] Indonesia, Malaysia and Singapore oppose re-engagement with the junta, with Singapore's Foreign Minister Vivian Balakrishnan calling the move "premature".[107] This policy of partial disengagement has exposed deep divisions within ASEAN over their cherished "ASEAN

Way" of non-interference.

Without Cold War politics and the threat of communism—as was the case in the 1970s—will ASEAN's preference for non-interference be sufficient to overcome the Myanmar crisis? Non-interference has provided a way for different forms of governments in the region, from democratic to authoritarian, to coexist.[108] It was also an attractive proposition, as governments with poor human rights records could gain membership to an economically vibrant bloc and yet maintain sovereignty over their own affairs. However, some scholars have argued that ASEAN has long interfered behind the scenes, from the case of Vietnam-Cambodia relations in the 1980s to Myanmar's internal problems since the 1990s. According to Lee Jones, the norm of non-interference has "never been absolute, but has rather been upheld or ignored in line with the interests of the region's dominant social forces".[109] To take this critique further, the norm is being refashioned to enhance ASEAN's internal resilience in light of a new geopolitical environment—a protracted Russia-Ukraine conflict, escalating US-China competition, the potential for conflict in the Taiwan Straits and continued tensions on the Korean Peninsula.

Conclusion

In the 1970s, ASEAN members were prepared to ignore certain principles in the name of security: against communist movements and to promote stability in the region. Although ASEAN was committed to collective regional security in the 1970s to 1980s,[110] a perceived threat prompted ASEAN not to oppose the use of force by Southeast Asia's largest country (Indonesia) against its second smallest (East Timor), yet afterwards to take a rather interventionist approach to roll back the rise of communist Vietnam. ASEAN's emergent legal normative framework was challenged and shaped by these two events. As regional interests in trade and investments grew, the principle of non-intervention—embodied with characteristics of force—was gradually replaced by the principle of non-interference—which does not carry the elements of forcibility, coercion or subversion. By the 1980s, as greater intra- and inter-regional economic and social issues came to the fore, the language of non-intervention became inadequate for ASEAN. In the early 1990s, ASEAN began to adopt modes of "constructive engagement" to try and effect change.[111] In so far as the two case studies have shown, ASEAN's normative framework

can be at once broad enough to accommodate different standards and approaches towards protecting sovereignty, self-determination and independence, but also narrow enough to restrict opposition to the same principles.[112]

The existence of legally binding norms such as non-intervention and non-interference is widely accepted, and states proclaim their faithful adherence to these guiding principles of international law. Yet, the conduct of states, legal norms notwithstanding, reveals that belief is far from actual practice aimed primarily at changing the behaviour or circumstances of the influenced state. There is no evidence to prove that ASEAN members have been able to move away from "bedrocks of sovereignty and non-interference" in state behaviour.[113] ASEAN's intra-regional and external relations continue to be directed by narrow sovereign interests without accommodation of regional interests.

This article began by looking at the historical circumstances that underpinned the formation of the EU and ASEAN and the respective paths they have taken. The EU is fashioned as a law-driven entity where EU laws, rules and regulations keep the entire EU machinery running. On the other hand, in ASEAN's model of consensus and consultation, it is not clear where law and politics dissect. ASEAN has managed to navigate some of its worst problems using blind spots and often seems to prioritize form over substance.[114] But an agreement not to disagree does not mean unanimity. According to Bilahari Kausikan, "ASEAN's basic consensus is a consensus on always having some sort of consensus even if it is only a consensus on words or on not discussing issues that may break consensus."[115] Perhaps there is a lesson to be drawn from ASEAN's politics-driven nature that has contributed to its somewhat contested success.

Without the ideological element of Cold War politics, the forces driving the non-intervention and non-interference principles must change. ASEAN's views and practice of these principles have not remained static as the two case studies show. In fact, we may continue to see an evolution of ASEAN's norms as it tries to handle the latest crisis that Myanmar has presented to the group.

NOTES

1 Eslava Luis, Vasuki Nesiah, and Michael Fakhri, *Bandung, Global History, and International Law: Critical Pasts and Pending Futures* (Cambridge, UK: Cambridge University Press, 2017), p. 3.

[2] Ibid., pp. 3–30.

[3] Desmond Dinan, *Origins and Evolution of the European Union* (Oxford, UK: Oxford University Press, 2012), p. 301.

[4] Georges Abi-Saab, "Foreword", in *Bandung, Global History, and International Law: Critical Pasts and Pending Futures*, edited by Luis Eslava, Vasuki Nesiah and Michael Fakhri (Cambridge, UK: Cambridge University Press, 2017), pp. xxix–xxx.

[5] There is no collective security organization similar to NATO in East Asia, South Asia or Southeast Asia.

[6] Indonesia gained independence in 1945, the Philippines in 1946, Malaysia in 1957 and Singapore after separation from the Federation of Malaysia in 1965. Thailand was the only Southeast Asian country to have maintained its independence throughout the period of European colonialism.

[7] Association of Southeast Asian Nations, *The ASEAN Declaration (Bangkok Declaration)*, adopted 8 August 1967, https://agreement.asean.org/media/download/20140117154159.pdf.

[8] Khong Yuen Foong, "ASEAN and the Southeast Asian Security Complex", in *Regional Orders: Building Security in a New World*, edited by David A. Lake and Patrick M. Morgan (University Park, PA: Pennsylvania State University Press, 1997), pp. 318–19.

[9] Antony Anghie, "Bandung and the Origins of Third World Sovereignty", in *Bandung, Global History, and International Law*, p. 539.

[10] Robin Ramcharan, "ASEAN and the Non-Interference: A Principle Maintained", *Contemporary Southeast Asia* 22, no. 1 (2000): 64.

[11] The ASEAN Charter is the bloc's constituent document that codifies key legal and political principles and collective obligations since ASEAN's creation. Sovereignty, equality, territorial integrity, non-interference, consensus, unity in diversity, democracy, rule of law and governance, renunciation of aggression and pacific settlement of disputes feature prominently as founding principles. The ASEAN Charter, https://asean.org/wp-content/uploads/images/archive/publications/ASEAN-Charter.pdf.

[12] Section 2.2, *The ASEAN Declaration.*

[13] Ibid.

[14] Malaysia, Indonesia and Singapore were still dealing with the aftermath of *Konfrontasi*, a series of subversive acts carried out by the Indonesian military between 1963 and 1966 in states that had become part of the Federation of Malaysia. See V.K. Pollard, "ASA and ASEAN, 1961–1967: Southeast Asian Regionalism", *Asian Survey* 10, no. 3 (1970): 244–55; Khoman Thanat, "ASEAN: Conception and Evolution", in *The ASEAN Reader*, edited by Sandhu K.S., Sharon Siddique, Chandran Jeshurun, Ananda Rajah, Joseph L.H. Tan and Pushpa Thambipillai (Singapore: Institute of Southeast Asian Studies, 1992), pp. xviii–xxii.

[15] Shaun Narine, "ASEAN and the Management of Regional Security", *Pacific Affairs* 71, no. 2 (1998): 200; Ralf Emmers, "Unpacking ASEAN Neutrality: The Quest for Autonomy and Impartiality in Southeast Asia", *Contemporary Southeast Asia* 40, no. 3 (2018): 357–58; Joseph Chinyong Liow, "Malaysia's

Post-Cold War China Policy: A Reassessment", in *The Rise of China: Responses from Southeast Asia and Japan*, edited by Jun Tsunekawa (Tokyo, Japan: The National Institute for Defense Studies, 2009), p. 50.

16 Narine, "ASEAN and the Management of Regional Security", p. 200.

17 Ibid.

18 Robert Yates, *Understanding ASEAN's Role in the Asia Pacific Order* (Bristol, United Kingdom: Palgrave Macmillan, 2019), p. 3.

19 Article 2, Treaty of Amity and Cooperation in Southeast Asia, https://asean-aipr.org/wp-content/uploads/2018/07/Treaty-of-Amity-and-Cooperation-in-Southeast-Asia-1976-TAC.pdf.

20 In 1987, an amendment was accepted that allowed states outside of Southeast Asia to join the TAC. Any state that wants to become a dialogue partner of ASEAN must also accede to the TAC.

21 Principle 1, the Bali Concord I, https://asean.org/the-declaration-of-asean-concord-bali-indonesia-24-february-1976/.

22 Ibid.

23 S. Rajaratnam, "The Dominoes Did Not Fall", in *S Rajaratnam on Singapore: From Ideas to Reality*, edited by Chong Guan Kwa (Singapore: World Scientific Publishing, 2006), pp. 104–7.

24 Ibid., p. 104.

25 Ibid., p. 105.

26 Ibid., p. 106.

27 Anghie, "Bandung and the Origins of Third World Sovereignty", p. 535.

28 Acharya Amitav, "Who Are the Norm Makers? The Asian-African Conference in Bandung and the Evolution of Norms", *Global Governance* 20 (2014): 405–17.

29 Of the present-day ten members of ASEAN, only representatives from Brunei, Malaysia and Singapore did not attend the Bandung Conference in 1955 as they were still under colonial rule. Indonesia played a key role as the host of the conference.

30 Lee Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia* (Houndmills, United Kingdom: Palgrave Macmillan, 2012), p. 3.

31 Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (New York, NY: Routledge, 2009), p. 70.

32 Ibid.

33 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, pp. 2–29.

34 Shaun Narine, "ASEAN and the ARF: The Limits of the 'ASEAN Way'", *Asian Survey* 10, no. 37 (1997): 961–78; Ramcharan, "ASEAN and the Non-Interference: A Principle Maintained", p. 64; Acharya, *Constructing a Security Community in Southeast Asia*, p. 70; Geoffrey B. Cockerham, "Regional Integration in ASEAN: Institutional Design and the ASEAN Way", *East Asia* 27, no. 2 (2010).

35 Lee Jones refers to non-intervention as a "norm". However, it is not clear to what extent scholars consider non-intervention a hard or soft norm within ASEAN.

[36] Jennings Robert and Arthur Watts, *Oppenheim's International Law: Peace, 9th edition* (Oxford, UK: Oxford University Press, 2008), pp. 430–31.

[37] Lori Damrosch, "Politics across Borders: Nonintervention and Nonforcible Influence over Domestic Affairs", *American Journal of International Law* 83, no. 1 (1989): 1–50.

[38] Jennings and Watts, *Oppenheim's International Law*, p. 432.

[39] Ibid.

[40] Ibid.

[41] Amitav Acharya, "Sovereignty, Non-Intervention and Regionalism", CANCAPS Papier Number 15, October 1997.

[42] Richard A. Ruth, *In Buddha's Company: Thai Soldiers in the Vietnam War* (Honolulu, HI: University of Hawaii Press, 2011), pp. 1–20.

[43] Tommy Koh, Rosario G Manalo and Walter Woon, *The Making of the ASEAN Charter* (Singapore: World Scientific Publishing, 2009), p. xix.

[44] Donald Weatherbee, *ASEAN's Half Century: A Political History of the Association of Southeast Asian Nations* (Lanham, MD: The Rowman and Littlefield Publishing Group, 2019), p. 183.

[45] Roger S. Clark, "The Decolonisation of East Timor and the United Nations Norms on Self-Determination and Aggression", *The Yale Journal of World Public Order* 7 (1980): 6.

[46] Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 61.

[47] Ibid., pp. 61–62.

[48] Ibid., pp. 58–74.

[49] Ibid., p. 9.

[50] José Ramos-Horta, *Funu: The Unfinished Saga of East Timor* (Trenton, NJ: The Red Sea Press, 1987); Clark, "The Decolonisation of East Timor and the United Nations Norms on Self-Determination and Aggression"; Christine Chinkin, "The East Timor Case (Portugal v. Australia)", *The International and Comparative Law Quarterly* 45, no. 3 (1996): 712–25; Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*.

[51] The UNGA resolution adopted on 12 December 1975 was passed by 72 votes to 10, with 43 abstentions. The 10 "no" votes were cast by Benin, India, Iran, Japan, Malaysia, the Philippines, Qatar, Saudi Arabia, Thailand and Indonesia. See the UNGA resolution, https://digitallibrary.un.org/record/189768?ln=en, and the voting record, https://digitallibrary.un.org/record/650109?ln=en.

[52] Roger S. Clark, "East Timor, Indonesia, and the International Community", *Temple International and Comparative Law Journal* 14 (2000): 18.

[53] UNSC, Official Records, S/PV.1864 (15 December 1975), https://digitallibrary.un.org/record/101096?ln=en; UNSC, Official Records, S/PV.1865 (16 December 1975), https://digitallibrary.un.org/record/70924?ln=en; UNSC, Official Records, S/PV.1867 (18 December 1975), https://digitallibrary.un.org/record/70860?ln=en; UNSC, Official Records, S/PV.1869 (22 December 1975), https://digitallibrary.un.org/record/75335?ln=en.

[54] Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, pp. 58–67.

55 Ibid.

56 Ibid.

57 Paul Monk, "Secret Intelligence and Escape Clauses: Australia and the Indonesian Annexation of East Timor, 1963–1976", *Critical Asian Studies* 33, no. 2 (2001): 181–208.

58 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 67.

59 Ibid., pp. 67–74.

60 Lee Kuan Yew, *From Third World to the First* (New York, NY: Harper Collins Publishers, 2000).

61 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, pp. 70–71.

62 Clark, "East Timor, Indonesia and the International Community", p. 80.

63 Ibid.

64 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 72.

65 Ibid., p. 70.

66 Ang Cheng Guan, *Southeast Asia's Cold War: An Interpretive History* (Honolulu, HI: University of Hawaii Press, 2018), p. 98.

67 Michael Antolik, *ASEAN and the Diplomacy of Accommodation* (New York, NY: M.E. Sharpe, 1990); Narine, "ASEAN and the ARF"; Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*.

68 Ang Cheng Guan, *Singapore, ASEAN and the Cambodian Conflict 1978–1991* (Singapore: NUS Press, 2013), p. 13.

69 Ibid., pp. 21–22.

70 Ibid.

71 Gary Klintworth, *Vietnam's Intervention in Cambodia in International Law* (Australia: Australian Government Publishing Service, 1989), p. 7.

72 Ibid., p. 36.

73 Ibid., p. 11.

74 Ibid., p. 23.

75 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, pp. 76–77.

76 Ang, *Singapore, ASEAN and the Cambodian Conflict*, p. 34.

77 Ibid., p. 25.

78 United Nations, "The Situation in Southeast Asia", in *Yearbook of the United Nations*, vol. 33 (United Nations, 1979), pp. 271–88, https://www.unmultimedia.org/searchers/yearbook/page_un2.jsp?volume=1979&page=282&searchType=advanced.

79 Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, pp. 79–80.

80 See Letter of 9 January 1979, United Nations, *Yearbook of the United Nations*, pp. 271–72.

81 Ang, *Singapore, ASEAN and the Cambodian Conflict*, p. 21.

82 United Nations, *Yearbook of the United Nations*, pp. 271–85. All three of the UNSC meetings that were convened to discuss the Vietnamese-Cambodian conflict failed to adopt resolutions because of vetoes by the Soviet Union.

[83] Ang, *Singapore, ASEAN and the Cambodian Conflict*, p. 35.

[84] Ibid., pp. 25–27.

[85] Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 81.

[86] Ang, *Singapore, ASEAN and the Cambodian Conflict*, pp. 23–30.

[87] Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 86.

[88] Ang, *Singapore, ASEAN and the Cambodian Conflict*, p. 36.

[89] Ibid.

[90] Ibid., p. 65.

[91] Ibid., p. 37.

[92] United Nations, *Yearbook of the United Nations*, pp. 271–307.

[93] Acharya, *Constructing a Security Community in Southeast Asia*, p. 136; Weatherbee, *ASEAN's Half Century*, p. 106.

[94] Ibid.

[95] The proposal included assistance for electoral processes, legal and administrative reforms, development of human capital and the strengthening of civil society and rule of law for countries in danger of collapse (as Cambodia was at the time this proposal was made). See Acharya, *Constructing a Security Community in Southeast Asia*, p. 137.

[96] Ibid.

[97] Ibid.

[98] Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, p. 183.

[99] ASEAN managed to persuade the Myanmar government to commit to a timetable on the safe, voluntary and orderly repatriation of Rohingya refugees from Bangladesh in November 2018. See Para 37, 2018 Chairman's Statement of the 33rd ASEAN Summit, adopted in Singapore on 13 November 2018, https://cil.nus.edu.sg/wp-content/uploads/formidable/14/2018-CHAIRMAN%E2%80%99S-STATEMENT-33RD-ASEAN-SUMMIT.pdf. However, these plans have now stalled because of the February 2021 military coup.

[100] Catherine Renshaw, "Democratic Transformation and Regional Institutions: The Case of Myanmar and ASEAN", *Journal of Current Southeast Asian Affairs* 32, no. 1 (2013): 29–54.

[101] Chairman's Statement on the ASEAN Leaders' Meeting, Jakarta, 24 April 2021, https://cil.nus.edu.sg/wp-content/uploads/2021/07/2021-Chairmans-Stm-ALM.pdf.

[102] Sharon Seah and Moe Thuzar, "Has ASEAN Reached the Point of Diminishing Returns with Myanmar?" *Fulcrum*, 4 July 2022, https://fulcrum.sg/has-asean-reached-the-point-of-diminishing-returns-with-myanmar/.

[103] Hoang Thi Ha, "The SAC versus ASEAN: The Futility of Legal Recourse", *Fulcrum*, 28 October 2021, https://fulcrum.sg/the-sac-versus-asean-the-futility-of-legal-recourse/.

[104] "Myanmar Says 'Extremely Disappointed' Its Junta Leader Excluded from ASEAN", *Straits Times*, 17 October 2021.

[105] Syed Hamid Alba, Marzuki Darusman, Kobsak Chutikul and Teddy Baguilat Jr, "ASEAN Must Hold the Line on Junta", *Bangkok Post*, 7 December 2021, https://www.bangkokpost.com/opinion/opinion/2230807/asean-must-hold-the-line-on-junta.

[106] "Thailand Led Regional Meeting on Myanmar Divides ASEAN", *Nikkei Asia*, 19 June 2023, https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Thailand-led-regional-meeting-on-Myanmar-divides-ASEAN.

[107] "Premature to Re-engage with Myanmar's Junta: Vivian Balakhrishnan", *Straits Times*, 17 June 2023, https://www.straitstimes.com/world/united-states/premature-to-re-engage-with-myanmar-s-junta-vivian-balakrishnan.

[108] Ramcharan, "ASEAN and the Non-Interference: A Principle Maintained", p. 79.

[109] Lee Jones, "ASEAN's Albatross: ASEAN's Burma Policy, from Constructive Engagement to Critical Disengagement", *Asian Security* 3, no. 4 (2008): 271–93.

[110] Numerous defence-related proposals, including Indonesia's proposition in 2004 of an ASEAN peacekeeping force, have been rejected on the basis of being "too early" and "not necessary". See Acharya, "Constructing a Security Community in Southeast Asia", pp. 263–65. Although ASEAN subsequently established the ASEAN Defence Ministers' Meeting (ADMM) in 2006 and the ADMM-Plus, which includes extra-regional countries, in 2010 for the purposes of pursuing multilateral defence diplomacy in the region, there is no indication that ASEAN will engage formally as a security or defence organization.

[111] Michael Antolik, "The ASEAN Regional Forum: The Spirit of Constructive Engagement", *Contemporary Southeast Asia* 16, no. 2 (1994): 117–36.

[112] Michael Antolik, *ASEAN and the Diplomacy of Accommodation* (New York, NY: M.E. Sharpe, 1990), p. 107.

[113] Weatherbee, *ASEAN's Half Century*, p. 199.

[114] Bilahari Kausikan, *Dealing with an Ambiguous World* (Singapore: World Scientific Publishing, 2017), p. 115.

[115] Ibid.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 520–43 DOI: 10.1355/cs45-3n

ISSN 0129-797X print / ISSN 1793-284X electronic

Authority or Authoritarian? The Democratic Threats behind Indonesia's New Capital City

RENDY PAHRUN WADIPALAPA, POLTAK PARTOGI NAINGGOLAN AND RIRIS KATHARINA

The relocation of Indonesia's capital from Jakarta to Nusantara Capital City in East Kalimantan will have significant implications for democratic rights and governance. However, this issue has been overlooked in most studies. Using interviews with politicians, bureaucrats and analysts, as well as focus group discussions and field observations, this article highlights various concerns surrounding the legal and administrative process of creating a new capital, including the rapid drafting of the relocation legislation, public opposition to the Nusantara Capital City Authority, the absence of local representation and the centralization of decision-making. All of this, the article contends, poses a threat to democracy in Indonesia.

Keywords: new capital city, democratic rights, Nusantara, Otorita, Indonesia.

Rendy Pahrun Wadipalapa is Postdoctoral Researcher at the National Research and Innovation Agency (BRIN). Postal address: Gatot Subroto No. 10, Jakarta 12710, Indonesia; email: rend011@brin.go.id.

Poltak Partogi Nainggolan is Senior Researcher at the National Research and Innovation Agency (BRIN). Postal address: Gatot Subroto No. 10, Jakarta 12710, Indonesia; email: polt001@brin.go.id.

Riris Katharina is Senior Researcher at the National Research and Innovation Agency (BRIN). Postal address: Gatot Subroto No. 10, Jakarta 12710, Indonesia; email: riri008@brin.go.id.

As the fourth most populous country in the world, Indonesia is struggling to address the problems of high population density, traffic congestion and land subsidence in its current capital city, Jakarta.[1] Attempting to remedy that, the Indonesian government passed landmark legislation in 2022—the Law on State Capital, or Law No. 3/2022[2]—to create a new capital city, Nusantara Capital City, in a new location in East Kalimantan. The relocation process will reportedly be completed by 2045 and cost approximately US$33 billion, funded through public and private investment.[3]

However, there are concerns about the rapid drafting of the Bill on State Capital—completed in just 42 days—and the adequacy of the regulatory impact assessments and evidence-based policy considerations, both of which are necessary to ensure the project is implemented in an open and participatory manner.[4] President Joko Widodo—more commonly known as "Jokowi"—has also seemingly failed to convince the public that the move is necessary. After he announced the decision in August 2019, public support for the project fell from 53.6 per cent in 2020 to 48.5 per cent two years later.[5] Another survey found that more than 60 per cent of the public is against the relocation plan.[6] Many question whether the estimated US$33 billion price tag is worth it and if the funds could be better spent on other priorities, such as improving infrastructure or education.

The Law on State Capital is problematic in terms of political rights. The senior leadership of the Nusantara Capital City Authority will be appointed, not elected through a democratic election, and the city will not have a Regional House of Representatives, which in other provinces is tasked with holding politicians to account. As such, the administrative scheme laid out by the Law on State Capital can potentially exacerbate democratic regression in Indonesia.[7] This remains a concern even after the law was revised on 3 October 2023. The revised legislation re-establishes the Nusantara Capital City Authority's special powers and responsibilities, creating an overlap with other regulations and unchecked powers, which could lead to conflicts over authority.[8]

While the existing literature has examined the economic and environmental impacts of capital city relocations[9] and their driving factors[10] across the world, there is a lack of research focusing on the impact on democracy. Drawing on fieldwork, interviews with elite figures and focus group discussions, this article examines the governance model of the Nusantara Capital City Authority and explores its impact on democratic rights in Indonesia.

We began collecting data on the initial phase of the Nusantara Capital City project between November and December 2019. This involved conducting interviews with the provincial and district governments, subdistrict heads and local leaders in East Kalimantan, and focus group discussions with experts.[11] Subsequently, we engaged with the key stakeholders of the Nusantara Capital City plan in Jakarta. In December 2019, we conducted interviews with several officials of the National Development Planning Agency and the Ministry of Home Affairs, and we continued data collection during the COVID-19 outbreak. After pandemic restrictions were lifted, we collected further data, updating our information through in-depth interviews between November 2022 and July 2023 with East Kalimantan's provincial government officials and local communities. In total, we have met and interviewed around 70 informants. Furthermore, this article has gathered valuable insights from the communities of Kutai Kartanegara and North Penajam Paser regencies, the areas in East Kalimantan where the new capital city will be located. Throughout this process, we focused on the most critical question: Does the plan for the new capital city exacerbate the regression of democratic rights in Indonesia?

This article begins by examining the history and political motivations behind successive plans to relocate Indonesia's capital city. We then assess the process of how the legislation relating to the Nusantara Capital City project was crafted and its potential consequences, highlighting the emerging risks of an authoritarian approach to the development of the capital. It concludes by arguing that the ambitious project poses a threat to democracy due to its lack of public deliberation and the amputation of a local parliament, as well as the government's insufficient political mitigation measures. Therefore, we recommend that a judicial review of the revised Law on State Capital is necessary to ensure that the project is in line with the principles of democratic governance.

From Jakarta to East Kalimantan: Environmental Challenges and Political Ambitions

Because of its strategic location and proximity to the sea, Jakarta was the capital of what is now Indonesia for centuries. The Portuguese imperialists named it "Jacatra" in 1485, and the Demak Sultanate renamed it "Jayakarta" in 1527 following their conquest of western Java. Under Dutch imperial control, it was named "Batavia" in 1621 and was the capital of the Dutch East Indies for more than

three centuries.[12] During Indonesia's anti-colonial wars, the capital was temporarily moved to Yogyakarta in 1946 for security reasons. However, when the Dutch occupied Yogyakarta, the capital was relocated to Bireun in Aceh in 1948 due to its secure location, surrounded by hills that provided natural defences.[13] Subsequently, a contingency plan was established in which the capital would move to Bukittinggi in West Sumatra in case Dutch forces captured the top leaders of the Indonesian government.[14]

Following independence—when Jakarta returned to being the capital city—President Sukarno briefly explored a plan to move the capital to Palangkaraya. This city later became the capital of Central Kalimantan Province in 1957. The concept of establishing a new capital was seen as a way to strengthen ties between Sukarno's government and the Soviet Union, which would have had a stake in the new city's design.[15] Sukarno visited Palangkaraya twice but ultimately decided to postpone the relocation due to the economic and political turbulence of the late 1950s.

During the era of the New Order government (1967–98), President Suharto also contemplated relocating the capital city, this time to Jonggol in West Java Province. The idea was affirmed in Presidential Decree No. 1/1997, and the development of a 30,000-hectare plot was to be led by a private company, PT Bukit Jonggol Asri, which had links to Bambang Trihatmodjo, one of Suharto's children.[16] However, the downfall of Suharto's government in May 1998 put an end to that scheme.[17]

In the post-New Order era, the plan to relocate Indonesia's capital remained alive. During the presidencies of Abdurrahman Wahid (1999–2001) and Megawati Sukarnoputri (2001–4), the government presented no formal discussions or proposals.[18] However, it has been suggested that Wahid informally expressed his desire to move the capital to Subang in West Java Province due to increasing traffic congestion in Jakarta.[19] Inspired by Kazakhstan's success in relocating its capital city, President Susilo Bambang Yudhoyono (2004–14) proposed moving Indonesia's capital to West Java Province in December 2009. In 2013, Yudhoyono tasked a small group of experts under the presidential staff to study and evaluate the plans.[20] However, the scheme was scrapped due to the lack of funding and more important development objectives. Moreover, the Yudhoyono administration wanted to avoid the environmental damage that would be caused by constructing a new capital city.[21]

Finally, in 2019, President Jokowi (2014–present) announced plans to move Indonesia's capital city from Jakarta to East Kalimantan,

citing Brazil and Australia as comparative examples.[22] The Indonesian government's official plan noted that Brazil's relocation of its national capital from Rio de Janeiro to Brasilia in the late 1950s was a deliberate effort to stimulate regional development, demonstrate the country's modernization and decentralize power away from the south coast. Similarly, Australia moved its capital from Melbourne to Canberra in 1927 to address the rivalry between Sydney and Melbourne, both of which vied for capital status, while promoting national unity in the process.

In Southeast Asia, several countries have also relocated their capital cities. In 2005, Myanmar's military-run government moved the capital from Yangon to Naypyidaw in a bid to protect itself from public protests and a possible uprising since anti-military sentiment was rife in the former capital.[23] Malaysia relocated its administrative capital to Putrajaya in 1999 to shed Kuala Lumpur's colonial image as an overcrowded and infrastructure-challenged city. Putrajaya offered convenient access to the Kuala Lumpur International Airport and had well-developed road infrastructure, while land acquisition in Putrajaya was much less challenging than in other regions of Malaysia as the area was previously oil palm plantations under single ownership and so was sparsely inhabited, thus minimizing issues such as forced evictions.

According to Indonesia's National Development Planning Agency, the decision to relocate Indonesia's capital city is driven by six factors.[24] First, the population density on Java—the island on which Jakarta is located—is excessively high, with 56.6 per cent of Indonesia's population concentrated on the island. Indonesia's other islands have significantly lower population densities. Kalimantan, where the new capital will be located, accounts for just 6.1 per cent of the total population.[25] Second, Java is also dominant economically; it accounts for 59 per cent of Indonesia's GDP, while Kalimantan, for instance, accounts for 8.1 per cent.[26] Third, Java and Bali face severe water concerns; most areas in Java do not have a clean water supply.[27] Fourth, Java is experiencing significant land conversion. By 2030, an estimated 42.8 per cent of the island will be built up, which is significantly higher than Kalimantan—11.1 per cent by 2030. Fifth, rates of urbanization are increasing across Indonesia but primarily in Jakarta. Finally, the current capital city is threatened by floods, earthquakes, land subsidence, rising sea levels and pollution, all of which will have negative impacts on the city's environmental sustainability and economic activity.[28]

However, in light of Indonesia's history and previous attempts to relocate the capital city, the ambitious plan to construct a new city is clearly intertwined with political interests. Since independence, Indonesian presidents have contemplated moving the capital to various locations, driven by their own political agendas and aspirations. According to some, the Nusantara Capital City project merely reflects President Jokowi's ambition and an attempt to secure his political legacy.[29]

Failures and Consequences

Following the collapse of Suharto's authoritarian regime in the late 1990s, Indonesia introduced a decentralized political system, transferring significant power and authority from the central government to subnational entities, which enables local governments to play a greater role in governance and decision-making.

In the context of the Indonesian capital city relocation project, the government has introduced the concept of an *Otorita* (Authority). The Nusantara Capital City Authority is a cabinet-level agency which possesses the status of a ministerial office, albeit with distinct additional powers. The Authority wields executive powers exercised by the head of the Authority, who, unlike provincial governors, is appointed directly by the president. The Authority also has the legislative powers of a provincial representative council, but there is no regional house of representatives to hold it to account. Indeed, there will be no elections for governors or legislative bodies in the future new capital, an anomaly in Indonesia's history of decentralization.[30]

Initial Plan of the Nusantara Capital City Authority

Even before President Jokowi presented the idea of relocating the capital city to the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat*, or MPR)—Indonesia's legislature composed of members of the House of Representatives and Regional Representative Council—on 16 August 2019, his administration initiated various activities related to the relocation without public consultation.[31] Moreover, the establishment of a special committee in the House of Representatives for the capital city relocation project was initiated solely based on a letter from President Jokowi in September 2019 which did not include a formal bill and academic drafts (*Naskah Akademik*), which are research-based studies that

explain why the law is necessary.[32] The government presented the Bill on State Capital to the House of Representatives on 29 September 2021, again without providing any accompanying academic drafts.[33] The absence of these comprehensive academic drafts reflects the government's apparent unwillingness to participate in thorough discussions regarding the legislation, which poses problems for the transparency and accountability of the decision-making process. For example, the lack of academic drafts may have hindered the House of Representatives' ability to comprehensively evaluate the project's merits and implications.

Only the opposition Prosperous Justice Party (*Partai Keadilan Sejahtera*, or PKS) dissented from the Bill on State Capital.[34] The seven parties that support the Jokowi administration backed the bill, as did the opposition Democratic Party (*Partai Demokrat*) albeit after providing some minor objections. The broad support for the Bill on State Capital in parliament reflects the Jokowi administration's ability to maintain political stability, grant valuable trade-offs to allies and secure the necessary backing for its policy initiatives.[35]

This concentration of decision-making power is also evident in the appointment of individuals from Sinar Mas, a prominent private company worth approximately US$49 billion and with dominant interests in East Kalimantan Province and Nusantara Capital City, as government representatives. In March 2022, Dhony Rajaho—who had resigned from all of his roles at Sinar Mas, including as its managing director—was appointed the deputy head of the Nusantara Capital City Authority. Sinar Mas owns extensive property, including around 500 hectares of land for coal mining and palm oil plantations, close to the future capital city. In July 2021, Sinar Mas Land, the real estate arm of the group, began work on a housing project in Balikpapan, a city in East Kalimantan Province. There has been increased demand for residential properties in the province since the announcement of the scheme, particularly as the relocation of civil servants to Nusantara Capital City will necessitate major housing developments.[36]

Questions have been raised about how to pay for the whole scheme. In May 2019, Jokowi gave assurances that the development of Nusantara Capital City would not rely on the state budget for financing. However, in February 2022, it was announced that the state budget would be used for the core development of the new capital.[37] The lack of a clear plan for how to pay for the project raises serious questions about the financial feasibility of the project as well as the impact on the state budget.

Another area of controversy relates to the status of the land on which the new capital will be built. According to Thomas Bolodadi, a senior official in the Nusantara Capital City Authority, there are no residents or land belonging to indigenous people in the core area of the new capital development project.[38] Outside the core area, the Nusantara Capital City Authority has been conducting surveys to identify all legal landowners. However, fieldwork visits by the authors suggest that the National Development Planning Agency did not conduct adequate spatial analysis when preparing the spatial plan for the new city, while numerous errors in landmarking and land clearing have sparked protests by local residents.[39]

According to the National Development Planning Agency, while every effort was made to avoid relocating residents, it will ultimately be an unavoidable outcome of the development project.[40] The Nusantara Capital City Authority plans to make the new capital a smart city—a scheme that uses digital technology to optimize the city's functions, promote economic growth and improve the quality of life for residents—to reduce excessive land use when constructing new housing for civil servants. It has also imposed a moratorium on land transactions, although this policy could harm local residents. For instance, residents of North Penajam Paser, a regency of East Kalimantan, have protested against the sudden confiscation of their land by the government that has been used for a VVIP airport of the new capital.[41]

In sum, the challenges associated with the ambitious scheme to relocate Indonesia's capital are numerous, while the project also appears to have begun without a comprehensive analysis of its impacts and implementation measures. Instead, the prominent feature of the scheme is an assertive style of political decision-making, exemplified by the relevant legislation being rushed through parliament and the appointment of a high-ranking executive from a real estate conglomerate as deputy head of the Nusantara Capital City Authority, which raises all sorts of questions about potential conflicts of interest.

Authority and Responsibility of the Nusantara Capital City Authority

The Bill on State Capital was officially discussed by the House of Representatives' Nusantara Capital City Special Committee during the second session of the 2021–2022 parliamentary term. Proceedings began on 7 December 2021 and by 24 February 2022, the House of

Representatives had approved the bill, which then officially became known as the Law on State Capital (or Law No. 3/2022). Given the complex problems encountered during the project's initial planning, it is important to scrutinize how this legislation grants powers and responsibility to the Nusantara Capital City Authority.

First and foremost, as the central concept of the bill, the Nusantara Capital City Authority is ambiguous. According to the Law on State Capital, it is a form of asymmetric decentralization, not functional decentralization,[42] and is similar to what has been implemented in the provinces of Aceh, Papua, the Special Region of Yogyakarta and the Special Capital Region of Jakarta.[43] However, unlike those examples, Nusantara Capital City does not have a regional house of representatives, despite Article 18 (3) of Indonesia's Constitution emphasizing that such a body is an integral part of local government by ensuring local representation and participatory decision-making. Instead, the city's authorities will be supervised solely by the national House of Representatives.

As stated in Article 18 (1), Indonesia's Constitution only recognizes three forms of local government: provinces, regencies and cities. This means the Nusantara Capital City Authority is a distinct entity within the constitutional framework and lacks the full recognition accorded to the other special governance regions, such as Aceh, Papua and Yogyakarta, which are all structured as provinces. Therefore, the structure of the Nusantara Capital City Authority can be seen as a breach of the Constitution.

Despite the House of Representatives' approval of the revised Law on State Capital on 3 October 2023, nothing significantly changed regarding the Nusantara Capital City Authority's ambiguous structure. The revised law grants the Authority three powers: its special regional government status will be equivalent to that of a provincial government; its head possesses powers similar to ministers; and it has functions akin to state-owned enterprises and can receive state capital participation.

The last element was added to the revised Law on State Capital and marks a departure from its previously specified role as a mere user of state resources. Given its status as a quasi-provincial government, the Nusantara Capital City Authority would typically be subject to budget accountability from the minister of finance and a regional house of representatives, which in other areas of the country serve as a crucial control mechanism in the allocation and utilization of public funds. As such, the revised legislation

makes the Nusantara Capital City Authority into something of a manager of the state budget, which is problematic, especially given the absence of a local legislative body in the new capital. This additional power seems unusual for a ministerial-level institution and has the potential to create overlapping jurisdictions, especially with other ministries.

The ambiguous position of the Nusantara Capital City Authority appears to be intended to make it more flexible when it comes to economic issues related to the new capital. Indeed, the deviation from constitutional norms appears to be primarily driven by the urgent need to boost economic activity around the construction of the city. According to an official from the Home Affairs Ministry, the Nusantara Capital City Authority

> needs to be agile in order to fulfil its functions, which extend beyond governing the Authority itself to include the management of investments and development that involve investors. The choice of the Authority as a governing entity is driven by the goal of building a modern city, necessitating legal breakthroughs in Indonesia. It is expected that the Authority will establish a government that is agile, flexible, and upholds democratic principles […]. Regarding the Authority, the reference to the provincial form of government in the legislation is merely symbolic. Administratively, it adopts the structure of a province … but operationally, *it follows a centralist approach* [emphasis added].[44]

Unlike Jakarta Province, which has a governor elected via a gubernatorial election, the Nusantara Capital City Authority head has a ministerial-level position and is appointed and dismissed directly by the president, after consultation with the House of Representatives. This is another constitutional violation because Article 18 (4) of the Constitution stipulates that governors, regents and mayors—as heads of provincial, regencies and city regional governments, respectively—must be democratically elected. However, according to Safrizal Z.A., Director General of Regional Autonomy at the Ministry of Home Affairs, the concept of democracy, according to the Constitution, extends beyond mere general elections and can take other forms, as exemplified in the case of the Nusantara Capital City Authority.[45]

Imron Bulkin, Head of the National Development Planning Agency's Capital City Relocation Team, acknowledged that the Nusantara Capital City Authority has been developed in a "trial-and-error approach".[46] This suggests that it may not have a well-

defined and tested governance structure, which could lead to an accumulation of unchecked power. Such an approach could also have negative implications for the communities affected by the relocation project and could even put the entire scheme in jeopardy.

Leadership and Representation of the Nusantara Capital City Authority

The Bill on State Capital has serious political consequences for more than 300,000 residents of areas where the new city will be located.[47] The Nusantara Capital City area covers 256,142 hectares, with 51 administrative areas at the village or subdistrict level. The authors' field research indicates that many of these residents are unaware of the proposed development or that their land has already been zoned for the development without compensation or explanation. Although indigenous people were invited to participate in the planning process, it appears that much of their communication with government authorities took place outside of official meetings, creating an inconsistent dialogue.

There was also minimal community participation during the deliberation on the Bill on State Capital in the House of Representatives. Only four out of the 26 invited social groups and communities were representatives of the local population.[48] The formation of the Nusantara Capital City Authority circumvented the mandated process in the House of Representatives, as outlined by Law No. 12/2011 on Legislation Procedures.[49] Numerous civil society groups complained that this was done by the government to proactively prevent any resistance to the project or attempts by businesses or entities to utilize their access to privileged information for personal gain.[50]

According to two informants from the Regional Development Planning Agency in East Kalimantan Province and the Kutai Kartanegara Regency, communication between the central government and the regions is inadequate.[51] Meanwhile, Sunggono, an official representative of the East Kalimantan government, spoke about the disconnect in communication between Jakarta and the local government:

> We have been left on our own, and have never been engaged in any meaningful dialogue, as if we are relegated to the past. The Authority has proceeded unilaterally without considering our position or interests, leaving us at a disadvantage. Considering

> that our four districts, especially Muara Jawa with its rich oil and gas resources, will be designated as part of the Nusantara Capital City development zone, we are concerned that we will suffer from the consequences of this decision.[52]

Moreover, several local residents interviewed by the authors voiced their concerns regarding land eviction,[53] while some local officials were worried about potential social and cultural conflicts that may arise from the development of the new city. Fitriansyah, Head of the Research and Development Division of East Kalimantan Province, stated:

> I am concerned by some residents' aspirations for independence and the potential for social conflict. The traditional tribal chiefs worry that the culture brought by newcomers to the Nusantara Capital City area could marginalize their local culture, much like the Betawi ethnic group has been marginalized by the rapid development of Jakarta.[54]

Indeed, conflicts may arise between the local governments and the Nusantara Capital City Authority due to these entities' unclear division of jurisdiction and responsibilities, as well as problems such as service duplication and the mismanagement of resources. With local residents of Kutai Kartanegara and North Penajam Paser regencies now falling under the jurisdiction of the Nusantara Capital City Authority, it is crucial to define how governance responsibilities will be divided between it and the local governments.

Meanwhile, many younger residents expressed concerns about the prospect of securing employment as civil servants or in other roles related to the development of the new capital city.[55] According to them, the current certification policy, which requires all workers to be certified as competent by the government, is a barrier hindering their chances of employment. They also perceive it as a discriminatory measure that disregards the aspirations of local residents. Skill and education gaps have made integrating the local workforce a challenge, leading to the Nusantara Capital City Authority recruiting workers from outside East Kalimantan, primarily from Java. This employment policy starkly reflects the centralistic approach of the relocation scheme.

In addition to concerns about centralization, the lack of representation through a regional house of representatives in Nusantara Capital City raises questions about the democratic deficit of the project. Regional houses of representatives provide platforms for the public to voice their opinions and aspirations. Indeed, residents of

Jakarta have representation through such a body. According to a parliamentarian, the new capital city's management

> is heavily influenced by the executive branch. The president plays a crucial role in overseeing the Nusantara Capital City Authority, as he or she has the power to appoint or dismiss the Nusantara Capital City Authority head and govern the administration. The power of the Authority is too extensive. In addition to its involvement in the relocation and development of the national capital, the Authority also issues its own regional regulations without the involvement of the Regional House of Representatives.[56]

Revision of the Law on State Capital: Unaddressed Issues

In response to the controversies surrounding the original Law on State Capital, the Indonesian government did not attempt to address critics' concerns. Instead, it proposed revisions that considerably expanded the Nusantara Capital City Authority's powers. The House of Representatives passed the revised bill in early October 2023, accepting all of the changes proposed by the government. The speed at which the bill passed through parliament was supposed to reassure uncertain investors.[57] As of September 2023, just US$2.6 billion worth of investment had been approved for the new capital city project,[58] notably lower than expectations. Although some 240 other investors expressed interest in investing in the new city, none of them have proceeded with their plans.[59] Indeed, many of them are taking a wait-and-see approach.[60]

The first of the revisions to the original Law on State Capital strengthens the powers of the Nusantara Capital City Authority and grants it the specific authority to handle both central government and regional government affairs. However, this change did not address any potential constitutional violations. The second set of revisions relates to land provisions and is intended to optimize land management, particularly for investment purposes.[61] These new regulations prioritize the interests of investors over the local communities.

The third revision focuses on financial management, particularly budgeting. Initially, the government and the House of Representatives claimed that the development of a new capital city would not put too much strain on national finances, with the state budget supposedly serving as only a supplementary source of funding.[62] However, the project has been heavily reliant on state funding, creating several

challenges for the Nusantara Capital City Authority.[63] Its unique governance structure has led to financial management concerns, and it is now seeking autonomy in financial management, similar to local governments. But without a regional house of representatives, the local legislative body normally responsible for supervising budget allocation, there are serious questions about the budget submission mechanisms.

The fourth revision seeks to strengthen the performance of the Nusantara Capital City Authority by opening up high-level leadership positions to civil servants and non-bureaucrat professionals. The fifth revision removes Balang Island from the Nusantara Capital City's jurisdiction in order to prevent potential social conflicts and to ensure that local governments provide basic services. However, this territorial delineation has relied solely on geographical coordinates without taking into account the administrative areas of villages or districts. This has caused difficulties for local governments in carrying out their duties.

The sixth revision focuses on housing providers and introduces regulations to expedite construction and attract more investment. Motivated by the desire of three investors to develop housing projects for Nusantara Capital City, with a combined total investment worth US$2.6 billion,[64] the revision appears heavily influenced by the interests of those investors. Indeed, revisions to Article 36 (b) are particularly appealing to investors as they now allow building rights to be converted into ownership rights and include incentives for businesses in the housing sector. For example, foreign companies willing to relocate their offices to Nusantara Capital City will receive incentives in the form of a 100 per cent income tax exemption. Additionally, businesses in the infrastructure sector will receive a tax holiday facility for up to 30 years.[65]

The seventh revision involves spatial planning and mandates compliance with spatial planning provisions for all land within the Nusantara Capital City and establishes consequences for non-compliance. Legal certainties around spatial planning are expected to help attract investments. However, this revision fails to consider calls from the North Penajam Paser Regency authorities to actively involve local residents in drafting development plans for areas designated as "other usage areas" currently under the control of the local community. The eighth revision pertains to the Nusantara Capital City Authority's engagement with the House of Representatives, ensuring public representation and oversight. The ninth—and final—revision focuses on sustainability guarantees. Similar to the seventh

revision, this is also primarily aimed at assuring investors who are concerned that the mandated change of the president in the 2024 elections could lead to policy shifts that affect the development of the new capital city.[66]

While the nine revisions seek to address various aspects of the project's development and governance, it is obvious that critical issues remain unaddressed. The emphasis on investor interests, the limited role of regional governance bodies, and the potential political motivations behind these revisions raise serious concerns about the broader public interest and the sustainability of policies relating to the relocation of the capital.

Pseudo-decentralization: Authority or Authoritarian?

Given the pseudo-decentralization of the project, can the Nusantara Capital City Authority be compatible with established decentralization models, or does it exhibit authoritarian tendencies?

According to Presidential Regulation no. 63/2022, the Nusantara Capital City project will be carried out in five stages, with varying degrees of democratic approach. Phase One (2022–24) will involve infrastructure and economic development, as well as the construction of housing for civil servants, military, police and Indonesia State Intelligence Agency personnel. The relocation of security forces will begin in 2023, and other branches of government will follow in 2024. While the initial phase of the relocation primarily involves construction and security operations, democratic elements are still essential in the decision-making processes of urban planning, housing allocation and relocation schedules. However, as suggested in previous sections of this article, democratic elements during this initial phase have not been fully embraced. Public hearings with local stakeholders and communities, as well as other feedback mechanisms, have not been optimally executed, thereby limiting the inclusiveness of decision-making and even inciting protests.

Phase Two (2024–29) will focus on completing core infrastructure works, especially public transportation. During this period, construction will also begin on research facilities, top-tier universities, innovation centres and international healthcare facilities. Phase Three (2030–34) will see the construction of critical infrastructure, including mass transit and wastewater and drinking water treatment plants. In Phase Four (2035–39), education and healthcare improvements will be prioritized and act as drivers of economic growth. Various initiatives, such as regional railway systems and multipurpose

dams, will be implemented to improve transportation and water availability. Finally, Phase Five (2040–45) will see a period of sustainable industry growth while the new capital's population is projected to be between 1.7 and 1.9 million by this period, with an urban density of approximately 100 people per hectare.

It will be essential to engage all relevant stakeholders throughout this process. For example, in Phase Two, healthcare professionals, educators and urban planners should be consulted in the decision-making process to ensure that new education, research and healthcare facilities in Nusantara Capital City meet the needs and expectations of the community and the industries themselves. Similarly, public consultation is essential in the planning and implementation of Phase Three, as projects such as mass transit and water supply have an important impact on residents' daily lives. With numerous authoritarian styles in place during Phase One, it is questionable whether there will be democratic processes in the subsequent phases.

In a democratic system, regional autonomy should be accompanied by elections that enable citizens to choose their regional leaders.[67] However, the absence of an election mechanism for the Nusantara Capital City Authority raises questions about the democratic legitimacy of its leadership. Indeed, this lack of direct citizen participation in the selection of the Nusantara Capital City Authority leaders challenges the democratic character of the whole project. Moreover, the overlap between territorial decentralization—simply moving power from a central city to other localities—and functional decentralization—delegating authority to specific institutions or groups for managing and regulating certain government functions—is problematic.[68] This dichotomy could lead to conflicts and ambiguities among various governmental bodies, including local governments in East Kalimantan. Consequently, establishing clear lines of authority and accountability in this hybrid model is challenging as this unnatural coexistence may generate legal and regulatory confusion.

These democratic violations, we argue, are a direct result of the exclusive, elite-centric approach that has been seen since the inception of the Nusantara Capital City project. The centralization and autocratic tendencies are evident from the perilous decision to involve private parties with significant conflicts of interest—including prominent figures from powerful conglomerates like Sinar Mas—within the Nusantara Capital City Authority to the top-down approach in anticipating conflicts with local residents. The findings

of this study also demonstrate a lack of communication between local and central governments, as well as repeated failures by the national government to address the concerns of local communities in East Kalimantan about the future of their residential, agricultural and plantation lands, which are vital for their livelihoods. People from the Paser, Balik, Bajo and Dayak ethnic minority groups have publicly declared that they have been ignored in the development process.[69] These sentiments have resulted in protests and even calls for secession from Indonesia.[70] Protests may continue and even escalate if local stakeholders still feel excluded from the decision-making process, potentially hampering the overall success of the project.

Conclusion

This article explores several critical issues surrounding the development of Nusantara Capital City and its impact on the country's democratic landscape. It highlights the lack of transparency and inclusivity in the legislative process. The rushed approach by President Jokowi, who must leave office in 2024, raises concerns about the undemocratic nature of the project.

There has also been a communication gap between the central government and local stakeholders, exacerbated by the Jakarta-centric approach to the development of the project. Moreover, the establishment of the Nusantara Capital City Authority diminishes the representation and voice of local communities, eroding democratic participation. Centralizing decision-making and sidelining regional parliaments weakens citizens' avenues to express their aspirations and concerns.

Moreover, the revised Law on State Capital fails to address these significant democratic violations and instead grants the Nusantara Capital City Authority excessive and unchecked power, raising further concerns about the project's impact on Indonesia's democratic fabric. Such a concentration of power in the hands of the Authority, without a corresponding increase in democratic oversight, degrades the level of accountability and transparency.

These factors collectively contribute to the democratic decline in Indonesia. Therefore, it is imperative to call for a judicial review of all the laws and regulations related to the Nusantara Capital City project to reinstate democratic principles and ensure meaningful citizen participation in the development of Indonesia's new capital city.

NOTES

[1] See Wilmar Salim and Siwage Dharma Negara, "Shifting the Capital from Jakarta: Reasons and Challenges", *ISEAS Perspective*, no. 2019/79, 1 October 2019, https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2019_79.pdf; Suryadi Jaya Purnama and Chotib, "Analisis Kebijakan Publik Pemindahan Ibu Kota Negara" [Analysis of the National Capital Relocation Policy], *Jurnal Ekonomi & Kebijakan Publik* 13, no. 2 (2022): 155–68.

[2] Available at https://jdih.maritim.go.id/cfind/source/files/uu/uu-no-3-2022/uu-nomor-3-tahun-2022.pdf.

[3] See Zaki Vernando, "Sekilas terkait Rencana Pemindahan Ibu Kota Negara (IKN)" [A Brief Overview of the State Capital Relocation Plan], *Finance Ministry*, 12 September 2022, https://kpbu.kemenkeu.go.id/read/1142-1364/umum/orang-juga-bertanya/skema-kpbu-apa-perannya-dalam-mendukung-pembangunan-ikn.

[4] Based on the authors' experience as former researchers in the House of Representatives, bills of a political nature tend to take longer time for discussion. For example, the Criminal Code Bill took 59 years to complete while the Civil Servant Apparatus Bill took 10 session periods (two years) to finalize. The Omnibus Law on Job Creation Bill, which was discussed using the Omnibus Law method, took 167 days to complete. Article 97 of the Regulation of the House of Representatives No. 2 of 2020 stipulates that the discussion of a bill can be conducted for a maximum of three session periods and can be extended based on the decision of a plenary session of the House of Representatives. See Poltak Partogi Nainggolan and Riris Katharina, *DPR dan Defisit Demokrasi* [House of Representatives and Democracy Deficit] (Jakarta, Indonesia: Yayasan Pustaka Obor Indonesia, 2022), pp. 611–39; "Pembahasan Kilat RUU IKN oleh House of Representatives Disebut Rekor Tercepat" [The Rapid Discussion of the IKN Bill by the House of Representatives Is Dubbed the Fastest Record], *CNN Indonesia*, 19 January 2022, https://www.cnnindonesia.com/nasional/20220119000334-32-748335/pembahasan-kilat-ruu-ikn-oleh-dpr-disebut-rekor-tercepat.

[5] Toru Takahashi, "Can Jokowi Make Capital Relocation His Legacy?" *Nikkei Asia*, 17 September 2022, https://asia.nikkei.com/Spotlight/Comment/Can-Jokowi-make-capital-relocation-his-legacy.

[6] Anggoro, "Hasil Survei UI Pemindahan Ibu Kota Negara Masih Penuh Dinamika" [UI Survey Results Show the Relocation of the State Capital Is Still Dynamic], *Media Indonesia*, 2 April 2022, https://mediaindonesia.com/nusantara/482953/hasil-survei-ui-pemindahan-ibu-kota-negara-masih-penuh-dinamika; Aprianto, "Ini Hasil Survei Kredibel, 61% Warga Tolak Pindah Ibu Kota Negara" [A Credible Survey's Result Says 61% of Citizens Reject the Relocation of the State Capital], *Rakyat Merdeka*, 6 January 2022, https://rm.id/baca-berita/nasional/107170/ini-hasil-survei-kredibel-61-persen-warga-tolak-pindah-ibu-kota-negara.

[7] See, for example, Eve Warburton and Edward Aspinall, "Explaining Indonesia's Democratic Regression: Structure, Agency and Popular Opinion", *Contemporary Southeast Asia* 41, no. 2 (2019): 255–85; Thomas Power, "Jokowi's Authoritarian Turn and Indonesia's Democratic Decline", *Bulletin of Indonesian Economic Studies* 54, no. 3 (2018): 307–38; Marcus Mietzner, "Populist Anti-Scientism,

Religious Polarisation, and Institutionalised Corruption: How Indonesia's Democratic Decline Shaped Its COVID-19 Response", *Journal of Current Southeast Asian Affairs* 39, no. 2 (2020): 227–49.

[8] The authors received the hard copy of the revised bill on 3 October 2023 from the House of Representatives. However, at time of publication, the official digital copy has not been made available due to further processing in the State Secretariat. See Ananda Ridho Sulistya, "Revisi UU IKN Disahkan, Apa Sikap Fraksi Demokrat dan PKS?" [The Revised Law of IKN Was Passed, What Is Demokrat and PKS Party Decision?], *Tempo*, 6 October 2023, https://nasional.tempo.co/read/1780463/revisi-uu-ikn-disahkan-apa-sikap-fraksi-demokrat-dan-pks.

[9] Chuyuan Wang, Soe W. Myint, Peilei Fan, Michelle Stuhlmacher and Jiachuan Yang, "The Impact of Urban Expansion on the Regional Environment in Myanmar: A Case Study of Two Capital Cities", *Landscape Ecology* 33 (2018): 765–82; Ana Azmy, "Examining the Relocation of the Capital City of Indonesia through the State Perspective in Political Economy", *Polit Journal* 1, no. 1 (2021): 26–35.

[10] Vadim Rossman, *Capital Cities: Varieties and Patterns of Development and Relocation* (Amsterdam, the Netherlands: Routledge, 2017); Yikun Su, Hong Xue and Huakang Liang, "An Evaluation Model for Urban Comprehensive Carrying Capacity: An Empirical Case from Harbin City", *International Journal of Environmental Research and Public Health* 16, no. 3 (2019): 367; Amir Reza Khavarian-Garmsir, Ahmad Pourahmad, Hossein Hataminejad and Rahmatollah Farhoodi, "Climate Change and Environmental Degradation and the Drivers of Migration in the Context of Shrinking Cities: A Case Study of Khuzestan Province, Iran", *Sustainable Cities and Society* 47 (2019): 1–48.

[11] For this research, we conducted a series of Focus Group Discussions with various stakeholders and experts. These discussions included sessions with the Head of the Capital City Relocation Team of the National Development Planning Agency and its representative officers, Jakarta, 2 November 2022. We also engaged experts in decentralization theory, urban development and planning from the University of Indonesia, 6 December 2022, and from the Bandung Institute of Technology, Jakarta, 16 December 2022. Additionally, sessions were held with local experts and lecturers from the University of Mulawarman, Samarinda, 7 November 2019. We conducted final discussions with lecturers of the 17th of August 1945 University, University of Mulawarman and the University of Muhammadiyah in East Kalimantan, 29 November 2022.

[12] Muhammad Subarkah, "Orang Portugis dan Asal-Usul Nama Jakarta" [The Portuguese People and the Origins of the Name Jakarta], *Republika*, 7 November 2021.

[13] See report from Bandung Institute of Technology, *Pemindahan Ibu Kota Negara/Pemerintahan Indonesia* [Relocation of the State/Central Government Capital of Indonesia] (Jakarta, Indonesia: Tim Nawa Cipta, 2018).

[14] Amrin Iman, Saleh A. Djamhari and J.R. Chaniago, *PDRI dalam Perang Kemerdekaan* [PDRI in the War of Independence] (Jakarta, Indonesia: Citra Pendidikan, 2005), pp. 50–52.

[15] Nasruddin, "Pemindahan Ibukota RI Ke Pulau Kalimantan" [Relocation of the Indonesian Capital to Kalimantan Island], *Proceeding of Indonesia Geographer Association* XVI (2013): 636–44; Wijanarka, *Sukarno dan Desain Rencana Ibu*

Kota RI di Palangkaraya [Sukarno and the Design of Indonesia's Capital City Plan in Palangkaraya] (Yogyakarta, Indonesia: Ombak, 2006); Julia M. Lau, Athiqah Nur Alami, Siwage Dharma Negara and Yanuar Nugroho, *The Road to Nusantara: Process, Challenges, and Opportunities* (Singapore: ISEAS – Yusof Ishak Institute/National Research and Innovation Agency), pp. 15–18.

16 Ibid., pp. 18–21; Haryo Winarso and Kartiwa, *Perjuangan Keadilan Agraria* [The Struggle for Agrarian Justice] (Yogyakarta, Indonesia: Insist Press, 2019), p. 152. The decree did not specifically state the relocation of the capital to Jonggol. Instead, it focused on the "development of Jonggol as an independent city encompassing three sub-districts (Jonggol, Cileungsi, and Cariu in Bogor, West Java)". The government refrained from explicitly designating this as the site where it would relocate the capital city but underscored a system in which Jakarta would retain its *de jure* national capital status while some *de facto* administrative functions would be transferred to Jonggol and other supporting cities.

17 See Rukmana, *Transfer of the National Capital* (Savannah, Georgia: Savannah State University Press, 2010), http://bulletin.penataanruang.net/upload/data_artikel/edisi5i.pdf.

18 See Palupi Annisa Auliani, "Timbul Tenggelam Wacana Pemindahan ibu Kota" [The Rise and Fall of the Capital Relocation Discourse], *Kompas*, 5 July 2017, https://nasional.kompas.com/read/2017/07/05/17312381/timbul.tenggelamnya.wacana.pemindahan.ibu.kota.

19 See "Gus Dur Usul Subang Jadi Ibu Kota RI" [Gus Dur Proposes Subang as the Capital of Indonesia], *NU Online*, 9 December 2014, https://www.nu.or.id/nasional/gus-dur-usul-subang-jadi-ibu-kota-ri-J09tt.

20 See Lau, Alami, Negara and Nugroho, *The Road to Nusantara*, p. 22.

21 Gibran Maulana Ibrahim, "SBY Akui Pernah Ingin Pindahkan Ibu Kota ke Jabar tapi Batal" [SBY Acknowledges Former Desire to Relocate the Capital City to West Java but It Was Cancelled], *Detik*, 11 December 2019, https://news.detik.com/berita/d-4819210/sby-akui-pernah-ingin-pindahkan-ibu-kota-ke-jabar-tapi-batal/2.

22 The National Development Planning Agency, *Buku Saku Pemindahan Ibu Kota Negara* [Pocket Book on the Relocation of the State Capital] (Jakarta, Indonesia: National Development Planning Agency, 2021).

23 See Dulyapak Preecharushh, "Myanmar's New Capital City of Naypyidaw", in *Engineering Earth: The Impacts of Megaengineering Projects*, edited by Stan Brunn (London, UK: Springer, 2010) pp. 1021–44.

24 Nur Jamal Shaid, "6 Alasan Ibu Kota Negara Pindah dari Jakarta ke Kalimantan Timur" [6 Reasons for Relocating the State Capital from Jakarta to East Kalimantan], *Kompas*, 2 November 2022, https://money.kompas.com/read/2022/02/11/052456426/6-alasan-ibu-kota-negara-pindah-dari-jakarta-ke-kalimantan-timur?page=all.

25 See Statistics Indonesia (BPS), *Kepadatan Penduduk menurut Provinsi, 2019–2021* [Population Density of Each Province, 2019–2021] (Jakarta, Indonesia: Badan Pusat Statistik, 2022).

26 Statistics Indonesia (BPS), *Ekonomi Indonesia 2019* [Indonesia's Economy in 2019] (Jakarta, Indonesia: Badan Pusat Statistik, 2020).

[27] See Nurul Chairunnisa, "Water Balance Analysis at Java-Bali Island for Anticipating Water Crisis", *Jurnal Teknik Sipil dan Lingkungan* 6, no. 2 (2021): 61–80.

[28] Nur Jamal Shaid, "6 Alasan Ibu Kota Negara Pindah dari Jakarta ke Kalimantan Timur" [6 Reasons for Relocating the State Capital from Jakarta to East Kalimantan], *Kompas*, 15 July 2022, https://money.kompas.com/read/2022/02/11/052456426/6-alasan-ibu-kota-negara-pindah-dari-jakarta-ke-kalimantan-timur?page=all.

[29] See Faris Mochtar, "Ambitious Plans to Build Indonesia a Brand New Capital City Are Falling Apart", *Bloomberg*, 5 December 2022, https://www.bloomberg.com/news/features/2022-12-05/indonesia-s-new-rainforest-city-president-jokowi-s-nusantara-plans-face-trouble?leadSource=uverify%20wall; Koh Ewe, "Indonesia's President Joko Widodo Once Symbolized Democratic Hope—His Plan for a New Capital Represents a Darker Legacy", *Time*, 27 October 2023, https://time.com/6329063/indonesia-nusantara-jokowi-democratic-decline/.

[30] See Law No. 3/2022 and also a previous law which mentioned the "Otorita": Law No. 23/2014. For Law No. 3/2022, see https://peraturan.go.id/id/uu-no-3-tahun-2022, and for Law No. 23/2014, see https://peraturan.go.id/id/uu-no-23-tahun-2014.

[31] Dwiani Septiana and Sumarlan, "Palangka Raya the Capital City of Indonesia: Critical Discourse Analysis on News about Moving the Capital City from Jakarta", *Advances in Social Science, Education and Humanities Research* 280 (2018): 190–202.

[32] House of Representatives, "Pansus IKN Pantau Kesiapan Kaltim" [The IKN Special Committee Monitors the Readiness of East Kalimantan], *DPR.go.id,* 25 September 2019, https://www.dpr.go.id/berita/detail/id/26024/t/Pansus%20IKN%20Pantau%20Kesiapan%20Kaltim.

[33] "House of Representatives Terima Surpres RUU Ibu Kota Negara" [The House of Representatives Receives the President's Letter on the Bill for the State Capital], *IKN.go.id,* 29 September 2021, https://www.ikn.go.id/en/dpr-terima-surpres-ruu-ibu-kota-negara.

[34] House of Representatives, "House of Representatives Setujui RUU IKN jadi UU" [The House of Representatives Approves the IKN Bill to Become Law], *Dpr.go.id*, 18 January 2022, https://www.dpr.go.id/berita/detail/id/37041/t/DPR+Setujui+RUU+IKN+jadi+UU.

[35] Since the 2019 presidential elections, Jokowi reconciled with his political rival Gerindra and then formed a broad coalition with the Indonesian Democratic Party of Struggle (PDI-P), Gerindra, Nasdem and the National Awakening Party (PKB). A significant portion of the land in Nusantara Capital City, particularly in the Sepaku subdistrict, is controlled by PT ITCI Hutani Manunggal and ITCI Kartika Utama. These two companies hold forest concession rights and are owned by Prabowo Subianto, Gerindra's chairman, and his sibling, Hashim Djojohadikusumo. The relocation of capital city is expected to provide economic compensation to Prabowo. See Kristian Erdianto, "Aktivis Sebut Ada Deal Politik Jokowi dan Prabowo Soal Ibu Kota Baru" [Activist Claims There's a Political Deal between Jokowi and Prabowo regarding the New Capital City], *Kompas*, 27 August 2019, https://nasional.kompas.com/read/2019/08/27/19010161/aktivis-sebut-ada-deal-politik-jokowi-dan-prabowo-soal-ibu-kota-baru.

[36] "Wakil kepala IKN Nusantara dipegang pimpinan Sinar Mas Dhony Rahajoe, LSM lingkungan khawatir 'ada konflik kepentingan" [The Deputy Head of Nusantara Capital Authority Is Held by Sinar Mas Leader Dhony Rahajoe, Environmental NGOs Are Concerned about 'Potential Conflicts of Interest'], *BBC Indonesia*, 11 March 2022, https://www.kompas.com/properti/read/2022/08/04/115721621/tangkap-peluang-relokasi-asn-ke-ikn-sinarmas-land-rilis-hunian-rp-800?page=all.

[37] See "Ingat Lagi Janji Jokowi Pembangunan Ibu Kota Negara Tak Akan Bebani APBN" [Remembering Jokowi's Promise Again, State Capital Development Will Not Burden the State Budget], *Kompas*, 23 February 2022, https://nasional.kompas.com/read/2022/02/23/16033231/ingat-lagi-janji-jokowi-pembangunan-ibu-kota-negara-tak-akan-bebani-apbn.

[38] Author interview with Thomas Balodadi, Deputy for Development Control of the Nusantara Capital City Authority, Jakarta, 20 October 2022. Those categorized as indigenous in this region include the Dayak, the largest tribe in Kalimantan, the Balik, who live in the Sepaku district of North Penajam Paser Regency, and the Paser, Bajo and Kutai who live in the areas around the planned new capital city.

[39] See, for example, "Warga Adat Suku Balik Tolak Relokasi dari Proyek Pembangunan IKN" [The Indigenous People of the Balik Tribe Reject Relocation from the IKN Development Project], *CNN Indonesia*, 15 March 2023, https://www.cnnindonesia.com/nasional/20230315053702-20-925153/warga-adat-suku-balik-tolak-relokasi-dari-proyek-pembangunan-ikn.

[40] Author interview with Yoga Akbar, a National Development Planning Agency legal specialist, Jakarta, 2 November 2022.

[41] See "Ratusan Warga PPU Protes Pematokan Tanah untuk Bandara IKN" [Hundreds of North Penajam Paser Residents Protest Land Marking for IKN Airport], *CNN Indonesia*, 21 June 2023, https://www.cnnindonesia.com/nasional/20230621123136-12-964695/ratusan-warga-ppu-protes-pematokan-tanah-untuk-bandara-ikn.

[42] Functional decentralization primarily concerns the delegation of specific government functions or services from a central authority to subnational entities, such as provinces, regions or municipalities, while asymmetric decentralization concerns the unequal or differentiated distribution of powers and responsibilities among subnational entities. Asymmetric decentralization grants varying degrees of autonomy or special authority to different regions or subnational units based on specific criteria, such as historical, cultural, economic or political factors. See Riris Katharina, "Bentuk Pemerintahan Ibu Kota Negara Baru" [New State Capital Form of Government], *Parliamentary Review* 2, no. 2 (2020): 52–58.

[43] Ibid., pp. 52–58.

[44] Author interview with Safrizal Z.A., General Director of Administration in Home Affairs Ministry, Jakarta, 20 October 2022.

[45] Ibid.

[46] Author interview with Imron Bulkin, Head of the Capital City Relocation Team from the National Development Planning Agency, Jakarta, 2 November 2022.

[47] Author interview with Fitriansyah, Head of Research and Development Division of East Kalimantan Province, Samarinda, 29 November 2022.

[48] These groups include the Indonesian Indigenous People's Alliance, Disaster Care Society, Central Kalimantan Society Alliance and Indonesian Traditional Medicine Practitioners Association (IMPI).

[49] This law stipulates that the public is given the right to provide input, either orally and/or in writing, in the formation of a law. This input can be provided through parliamentary meetings, including public hearings, working visits, socialization, seminars, workshops and discussions.

[50] For example, see complaint from Indonesian Forum for Public Concerns, "The Omnibus IKN Bill Is Super Fast, Hidden, and Lacks Public Participation", *CNNIndonesia.com*, 15 January 2022, https://www.cnnindonesia.com/nasional/20220114152427-32-746748/formappi-ruu-ikn-supercepat-sembunyi-dan-minim-partisipasi-publik; and complaint from the Indonesian Forum for Environment (WALHI), "IKN Bill: Revisiting the Unconstitutionality of the Omnibus Law", *Walhi.or.id*, 12 January 2022, https://www.walhi.or.id/ruu-ibu-kota-negara-mengulang-inkonstitusionalitas-omnibus-law.

[51] Author interview with officials of the Regional Development Planning Agency in East Kalimantan, Tenggarong, 17 October 2022; Author interview with Sunggono, Regional Secretary of Kutai Kartanegara Regency, Tenggarong, 29 November 2022.

[52] Ibid.

[53] Fieldwork visits to East Kalimantan, 28 November–2 December 2022.

[54] Author interview with Fitriansyah, Head of Research and Development Division of East Kalimantan Province, Samarinda, 29 November 2022.

[55] Ibid.

[56] Author interview, Teddy Setiadi, a Member of the House of Representatives of Indonesia, Jakarta, 14 January 2022.

[57] See Shafira Aurel, "Bappenas: Revisi UU IKN untuk Tarik Investor" [Bappenas: Revision of the Capital City Bill Aims to Attract Investors], *Kbr.id*, 4 August 2023, https://kbr.id/nasional/08-2023/bappenas-revisi-uu-ikn-untuk-tarik-investor/112179.html; "Revisi UU IKN Disahkan, Greenpeace Anggap Pemerintah Lindungi Investasi Bukan Keanekaragaman Hayati" [Revision of the Capital City Bill Approved, Greenpeace Sees Government Protecting Investment Rather Than Biodiversity], *Tempo.co*, 3 October 2023, https://nasional.tempo.co/read/1779212/revisi-uu-ikn-disahkan-greenpeace-anggap-pemerintah-lindungi-investasi-bukan-keanekaragaman-hayati.

[58] See Muhdany Yusuf Laksono, "Komitmen Investasi Rp 40 Triliun, Masuknya Para Taipan, hingga Properti yang Dibangun di IKN" [An Investment Commitment of IDR 40 Trillion, the Arrival of Tycoons, and the Properties Being Built in IKN], *Kompas.com*, 19 September 2023. https://www.kompas.com/properti/read/2023/09/19/090000721/komitmen-investasi-rp-40-triliun-masuknya-para-taipan-hingga-properti?page=all#page2.

[59] See Martyasari Rizky, "Akhirnya Sengketa Lahan di IKN Beres di tangan Luhut" [Finally, Land Disputes in IKN Resolved by Luhut], *CNBC Indonesia*, 11 July 2023, https://www.cnbcindonesia.com/news/20230711174138-4-453365/akhirnya-sengketa-lahan-di-ikn-beres-di-tangan-luhut.

[60] "Investor Wait and See di IKN", *Metrotvnews.com*, 4 September 2023, https://www.metrotvnews.com/read/koGCVmWG-investor-wait-and-see-di-ikn.

[61] See Wiji Nur Hayat, "Begini Hitung-hitungan Bos Pengusaha Nasib Investasi di IKN" [Here's How Business Leaders Calculate the Fate of Investments in IKN], *CNBC Indonesia*, 12 July 2023, https://www.cnbcindonesia.com/news/20230712134101-4-453593/begini-hitung-hitungan-bos-pengusaha-nasib-investasi-di-ikn.

[62] See House of Representatives, "Pembangunan IKN Baru Tidak Akan Bebani APBN" [The New IKN Development Will Not Burden the State Budget], *House of Representatives.go.id*, 17 January 2022, https://www.House of Representatives.go.id/berita/detail/id/37009/t/Pembangunan%20IKN%20Baru%20Tidak%20Akan%20Bebani%20APBN.

[63] See Kautsar Widya Prabowo, "Masih Gunakan APBN, Pemerintah Dianggap Gagal Bangun IKN" [Continued Reliance on the State Budget (APBN) Is Seen as a Failure of the Government to Successfully Build IKN], *MetroTV News*, 11 June 2023, https://www.metrotvnews.com/read/NA0CX5lM-masih-gunakan-apbn-pemerintah-dianggap-gagal-bangun-ikn.

[64] See Emir Yanwardhana, "Ada Summarecon, 3 Investor Ini Bangun Perumahan di IKN Rp41 T" [Summarecon and These Three Investors Are Collectively Constructing Housing Projects in IKN Worth Rp41 Trillion], *CNBC Indonesia*, 3 January 2023, https://www.cnbcindonesia.com/news/20230103130536-4-402393/ada-summarecon-3-investor-ini-bangun-perumahan-di-ikn-rp41-t.

[65] See "Badan Otorita Beber Sederet Insentif Bagi Investor di IKN" [Otorita Reveals Incentives for IKN's Investors], *CNN Indonesia*, 3 September 2023, https://www.cnnindonesia.com/ekonomi/20230903153459-532-994190/badan-otorita-beber-sederet-insentif-bagi-investor-di-ikn.

[66] See Ferry Sandi, "Bos Apindo: Siapapun Presidennya IKN Harus Lanjut!" [APINDO Chief: Regardless of the President, IKN Must Continue!], *CNBC Indonesia*, 12 July 2023, https://www.cnbcindonesia.com/news/20230712140101-4-453606/bos-apindo-siapapun-presidennya-ikn-harus-lanjut.

[67] Ryaas Rasyid, *Otonomi Daerah: Latar Belakang dan Masa Depannya* [Regional Autonomy: Background and Future] (Jakarta, Indonesia: LIPI Press, 2007).

[68] See Beatriz Cuadrado-Ballesteros, "The Impact of Functional Decentralization and Externalization on Local Government Transparency", *Government Information Quarterly* 31, no. 2 (2014): 265–77; Irfan Ridwan Maksum, "Spektrum Otonomi Kekhususan" [Special Autonomy Spectrum], *Kompas*, 28 January 2014.

[69] See Nurhadi Sucahyo, "Masyarakat Adat di Ibu Kota Nusantara Menuntut Pengakuan" [Indigenous Communities in the Nusantara Capital Demand Recognition], *VOA Indonesia*, 6 July 2023, https://www.voaindonesia.com/a/masyarakat-adat-di-ibu-kota-nusantara-menuntut-pengakuan-/7169325.html; Niaga Asia, "Saiduani Nyuk: Masyarakat Adat di IKN Nusantara Semakin Terhimpit" [Saiduani Nyuk: Indigenous Communities in IKN Nusantara Are Growing Increasingly Marginalized], *Niaga Asia*, 2 January 2023, https://www.niaga.asia/saiduani-nyuk-masyarakat-adat-di-ikn-nusantara-semakin-terhimpit/.

[70] Author interview with Sunggono, 29 November 2022; author interview with Fitriansyah, 29 November 2022.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 544–47 DOI: 10.1355/cs45-3o

ISSN 0129-797X print / ISSN 1793-284X electronic

Book Reviews

***Famine in Cambodia: Geopolitics, Biopolitics, Necropolitics*. By James A. Tyner. Athens, Georgia: University of Georgia Press, 2023. Softcover: 219pp.**

Conventional wisdom and some scholarly literature place the events of April 1975—when the Khmer Rouge stormed into Phnom Penh and "evacuated" the capital—as the beginning of what has been dubbed "Year Zero" for Cambodia. The genocidal regime's four-year rule was so extreme and murderous that nothing that came before bears comparison. However, James A. Tyner seeks to extend the arc of Cambodian history to reveal the deeper roots of the deadly famines that occurred from 1970 until the late 1980s. Tyner takes issue with the "overdetermined role of the Khmer Rouge" (p. 3) and argues that the famines during its rule (August 1975 to January 1979) were not simply caused by the Maoist regime's brutal policies. He points to the capitalist changes to the rural economy brought about by French colonists in the late nineteenth century and during the rule of King Norodom Sihanouk (1953–70) as contributing factors to the famines. Tyner also places much blame on the United States, citing its illegal bombing of Cambodia in the early 1970s and its withholding of humanitarian aid solely for geopolitical reasons in the 1980s.

On the eve of the Lon Nol coup in March 1970, which created the Khmer Republic, there might have been the notion that "no one starves in Cambodia" (p. 16), but this was far from the truth. In Chapter One, Tyner documents important changes to the rural economy, as well as a lack of investment in and development of the sector, from the late nineteenth century onwards that made rice

production ever more precarious. Even during the "golden age" of Sihanouk's rule, irrigated rice cultivation expanded modestly, from 34,762 to 79,926 hectares (p. 34). Things only got worse under the Khmer Republic, which is the focus of Chapter Two. Paddy production, for instance, fell from 3.8 million tons to just 493,000 tons within five years (p. 62). While government incompetence and corruption were a factor, the civil war between the government and various guerrilla outfits, especially the Khmer Rouge, was another. But Tyner's primary focus is on the United States' illegal war in Cambodia: the carpet-bombing of vast sweeps of arable lands resulted in millions of refugees flooding into the ill-equipped cities, which were almost entirely dependent on food assistance from overseas by 1974. Yet, little food relief was sent by Washington, although Tyner does note that the "vast majority" of the aid that was sent was sold off by corrupt Khmer Republic officials (p. 69). The next famine that subsequently took place during the Khmer Rouge era, he writes, "was not an aberration but instead a continuation of a famine facilitated by America's expansion of war in Cambodia" (p. 77).

Chapter Three examines the Khmer Rouge era, providing a detailed (albeit somewhat counterintuitive) explanation of the communist regime's economic policies. Its primary goal was to increase rice exports in order to generate foreign currency for industrialization, rather than completely isolating Cambodia from the global economy. According to Tyner, the Khmer Rouge actually sought to "participate in the global economy on terms of their own choosing" (p. 81) and "inserted farmers more fully into the global economy" than its predecessors (p. 91).

However, that policy generated famine because of a woefully poor economy the Khmer Rouge inherited and the ruthlessness with which it carried out its objectives. According to Tyner, "every spoonful of rice consumed by workers [...] represented loss in potential earnings, a grim demonstration of the fatal contradictions inherent in Khmer Rouge bio(necro)politics" (p. 98). He agrees with economist Amartya Sen's view that famines are not caused by a lack of food but a result of the politics and economics of food distribution. However, he goes even further, arguing that famine, as was the case during the Khmer Republic and Khmer Rouge eras, can also be a "*product* of the social and economic system rather than its failures" (p. 5).

Tyner documents famines post-1979, after the Khmer Rouge was overthrown in Chapter Four, before offering an extended epilogue. If his depiction of history makes for difficult reading for those who still want to view the Khmer Rouge era as an anomaly, they would be even more depressed by Tyner's warnings in the final chapter. Ongoing biodiversity destruction, especially of Cambodia's lakes and rivers, climate change and further capital accumulation by the elite could create conditions worse than before. Tyner notes that Cambodia's rural population "is increasingly caught in the vises of parallel threats that—if left unchecked—foreshadows a catastrophic future that would dwarf the country's famines of the 1970s" (p. 152).

In many ways, this book sets out to challenge commonly held notions about Cambodian history, such as that the country had a healthy economy before 1975 and the Khmer Rouge simply destroyed it (along with perhaps a quarter of the population). Tyner is at pains to stress that his epochal comparisons are not meant to downplay the Khmer Rouge's atrocities. That is clear. One problem, though, is that he succumbs to the temptation of presenting the Khmer Rouge as simply showing up in Phnom Penh in April 1975. Little mention is made of what was happening in the regions under the Khmer Rouge's control prior to 1975. More attention should also have been paid to the responsibility of other external actors, including China, Vietnam and ASEAN.

Maybe the famine between 1975 and 1979 was partly a result of what came before, but some readers might question the comparisons in terms of scale. Marek Sliwinski (in *Le génocide Khmer Rouge: Une analyse démographique*, 1995) estimated that there were fewer than 310,000 total deaths during the Khmer Republic era, while other historians suggest as many as 600,000. By contrast, most scholars agree that at least 1.5 million people, if not double that, died during the Khmer Rouge era (as suggested by Ben Kiernan, in *The Pol Pot Regime*, 2008). Although the exact numbers are highly contested, and many of the deaths were not related to famine, they do indicate a marked difference in mortality rates between the two periods.

Tyner provides in-depth context and thorough explanations of the progression of Cambodian history. His expansive statistics support most of his arguments, and he draws upon a range of

contemporary sources, both local and foreign. Overall, this book is a welcomed contribution to the existing literature on Cambodian history, especially as the passage of time allows scholars to (less controversially) offer more nuanced interpretations of the Khmer Rouge period.

David Hutt is Research Fellow at the Central European Institution of Asian Studies, Associate Editor of *Contemporary Southeast Asia* and Southeast Asia Columnist at *The Diplomat*. Postal address: Murgašova 3131/2, 81104, Bratislava, Slovakia; email: hutt@ceias.eu.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 548–50 DOI: 10.1355/cs45-3p

ISSN 0129-797X print / ISSN 1793-284X electronic

***Indonesia at the Crossroads: Transformation and Challenges.* Edited by Okamoto Masaaki and Jafar Suryomenggolo. Yogyakarta: UGM Press; Kyoto: Kyoto University Press; Tokyo: Trans Pacific Press, 2022. Paperback: 406pp.**

Since democratization in the late 1990s, Indonesia has transformed from a crisis-ridden decaying dictatorship into a middle-income electoral democracy. Numerous studies have explored the benefits and challenges of that process, and Okamoto Masaaki and Jafar Suryomenggolo's edited volume is the latest offering. But what sets this collection of essays apart from the rest of the literature is its coverage of multiple aspects of politics, economics and social life rather than a preoccupation with electoral dynamics.

The editors set the tone in their introduction, which provides a balanced overview of the country: a vibrant economy and democracy but with pressing challenges of inequality, rapid urbanization, cartel politics and religious conservatism. The contributors—a diverse collection of East Asian researchers and Indonesian scholars and activists—continue in that vein.

The book is divided into three sections: "Governance and Social Dynamics", "Paths to Equality" and "Structural Challenges". The first includes engaging chapters on multiculturalism, street art and urban spaces in Yogyakarta, anti-Shia violence in Madura and the peace process in Papua. These chapters offer fresh insights on their respective topics. Thung Ju Lan's analysis, for instance, moves beyond the trite idea of tolerance, as is rampant in the development sector, to explore how politics, history and socioeconomic class affect multiculturalism. The other three authors cover important case studies exploring local contestations over space, power, resources and social and political networks.

The second section discusses Indonesia's economic performance and challenges, including regional educational outcomes and poverty in the Greater Jakarta Area, as well as policy recommendations. Ernoiz Antriyandarti and Susi Wuri Ani, for example, propose farmland liquidation—the leasing of owned land—as a way of improving agricultural productivity and farmers' incomes, while Maxensius Tri Sambodo and Latif Adam explore the importance of public-private partnerships in financing infrastructure development.

Topics covered in this part are pertinent for academic analysis and policy. However, while empirically rich, the chapter on farmland liquidation is a little too technical and overlooks key studies on Indonesia's rural political economy from the tradition of agrarian studies, which offers insight on the links between class relations and rural welfare.

The final section focuses on Indonesia's structural problems, namely corruption, human rights, organized violence and intelligence and security sector reform. In his essay, Adnan Topan Husodo points out the obstacles to combating corruption, particularly collusive relationships between aspiring politicians, elected officials and business elites. Suh Jiwon explores Indonesia's various strategies of human rights promotion, ranging from ad hoc human rights courts to programmes in certain cities. These chapters address prominent issues, but their arguments could have been sharper if they had discussed ways of moving beyond niche civil society support to attract a broad cross-class consensus.

Linking together different studies from multiple perspectives is no easy editorial feat, yet in their concluding chapter Masaaki and Suryomenggolo artfully summarize the key takeaways from each chapter and reiterate that Indonesia's path towards equitable and pluralistic democracy is an ongoing process. Overall, this is an informative, comprehensive book.

Some improvements could be considered. The volume would have been stronger if there was more engagement with theoretical debates on issues such as oligarchic hijacking of democracy and de-industrialization. A more thorough exploration of trends in the cultural and social lives of Indonesians would have been welcomed. The inclusion of studies on recent pop culture, music and street language, for example, would provide readers with a glimpse into the enduring and fleeting trends of Indonesian culture.

Nonetheless, this volume is neat and well-researched. At 400 pages, readers might take some time to get through it, but the excellent research and diverse topics will compensate for that. Neither is it so much of a drawback that it only covers events up until the end of 2019, so issues such as the pro-reform *Reformasi Dikorupsi* protest movement and the COVID-19 pandemic are not discussed.

The book's publishing process is also a good example of slow, collaborative scholarship. The editors clearly made sure that the chapters engaged with societal and governmental shifts over two decades, while their attempts to bridge scholarly and activist perspectives, as well as to promote the work of Asia-based writers, is commendable. This is an accessible, far-reaching study on contemporary Indonesia for diverse audience.

Iqra Anugrah is a Research Fellow at the International Institute for Asian Studies, Leiden University and a Research Associate at the Institute for Economic and Social Research, Education, and Information (LP3ES). Postal address: Rapenburg 59, 2311GJ, Leiden, The Netherlands; email: officialiqraanugrah@gmail.com.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 551–53 DOI: 10.1355/cs45-3q

ISSN 0129-797X print / ISSN 1793-284X electronic

***Reassessing Lee Kuan Yew's Strategic Thought*. By Ang Cheng Guan. Abington, United Kingdom: Routledge, 2023. Hardcover: 175pp.**

To mark the centenary of the birth of the late Lee Kuan Yew, this book collates examples of his strategic thinking, especially on foreign policy, in a manner that is supposedly intended to celebrate the wisdom of Singapore's "founding father". Lee, who is widely regarded as the architect of Singaporean foreign policy, served as the city-state's prime minister from June 1959, when the British colonial authorities granted it a degree of self-government, until his resignation in November 1990. He subsequently served as a senior minister until August 2004 and then as a minister mentor until May 2011. His son, Lee Hsien Loong, is the current prime minister of Singapore.

As well as an introduction and short conclusion, *Reassessing Lee Kuan Yew's Strategic Thought* is composed of five substantive chapters. The first three cover the Cold War years while the final two focus on the post-1989 era. According to Ang Cheng Guan, opinions about Lee can be divided into two schools of thought: a panegyric school and a critical school. This dichotomy is unsurprising; Lee was a politician who triggered strong, often polarizing, emotions. His admirers praised him as a politician of great foresight, the man responsible for Singapore's meteoric rise. For his detractors, however, he was head of an "authoritarian" government that pursued elitist policies, although the author does not include some of his critics' more reproving comments.

For source material, the book draws on Lee's writings, public speeches and interviews he gave to eminent journalists between 1950 and 2011, the year Lee retired from politics before his passing four years later. According to Ang, he produced this book to flesh out the manner of Lee's strategic thinking and to serve as a conduit for the politician's thoughts. However, this means that he offers little assessment of the source material.

Nonetheless, the collation of Lee's own words provides key insights into the early challenges that faced Malaya (a precursor to Malaysia and which included Singapore) as well as independent Singapore during the Cold War period. For example, from his words, we can learn that Lee perceived communalism and communism as the two main security threats. Yet, he felt the former was more

dangerous as there was "no Malay-led Malayan Communist Party" (p. 37). The Malayan Communist Party was dominated by ethnic Chinese, which made Lee, who himself was ethnic Chinese, fear being misconstrued as chauvinistic. This was also a reason why Singapore was the last country in Southeast Asia to establish diplomatic relations with the People's Republic of China in 1990 despite Lee's view that bilateral relations would be "absolutely inevitable" (p. 48).

On the question of great power engagement in Southeast Asia, the book explores how Lee framed his desire to maintain a balance between them (p. 49). During the early period of his political career, he was more inclined towards the United Kingdom since he regarded Singapore's reliance on the British Commonwealth, which it joined after its independence in 1965, as essential for its security (p. 52). Conversely, he believed US administrations of the time "lacked depth" in comparison to the British (p. 53). Lee was clearly disillusioned with the American defeat and withdrawal from Vietnam (p. 60). Nonetheless, he regularly called on the United States to remain engaged in Southeast Asia so as to provide a balance against the Soviet Union and China (pp. 104–15). According to Lee, US engagement was essential for upholding international law and order in East Asia in the later years of the twentieth century (p. 117).

Perhaps of interest to readers concerned about present-day issues will be Lee's opinions about how the United States would want to maintain its dominant position internationally in the twenty-first century in the face of a rising China (p. 134). They might also be interested in his thoughts about the rise of India and China, and how this constituted the greatest strategic challenge to the United States (p. 145). According to Lee, a balanced relationship between China, Japan and the United States would provide Singapore the space to exist peacefully and grow its economy.

Reassessing Lee Kuan Yew's Strategic Thought is well-researched and carefully documents how Lee's mindset shaped Singapore's foreign policy principles. In doing so it also identifies how his thought process evolved over time. Although Lee was known for his shrewd use of speeches and interviews to further Singapore's national interest, many of his writings and utterances included in this book are retrospectives and therefore have to be treated critically.

In many ways, this book should be read as one intended to celebrate Lee's intuitive faculties and sharp foresight. In his short conclusion, for instance, Ang gives credit to Lee as a politician with a rare understanding of history, an assertion that historian Wang Gungwu and diplomat Chan Heng Chee are cited as confirming. The book will interest academics and policymakers keen to understand Lee's strategic outlook and philosophy, which continue to inform Singapore's foreign policy today.

NARAYANAN GANESAN is Professor of Southeast Asian politics, Graduate School of Peace Studies, Hiroshima City University's Hiroshima Peace Institute. Postal address: 3-4-1 Ozuka-Higashi, Asaminami-ku, Hiroshima, 731-3194, Japan; email: ganesan@hiroshima-cu.ac.jp.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 554–56 DOI: 10.1355/cs45-3r

ISSN 0129-797X print / ISSN 1793-284X electronic

***Managing Great Power Politics: ASEAN, Institutional Strategy, and the South China Sea*. By Kei Koga. Singapore: Palgrave Macmillan, 2022. Hardcover: 284pp.**

Drawing on the South China Sea dispute as an illustrative case, *Managing Great Power Politics* examines ASEAN's role in managing great power politics in East Asia. It argues that ASEAN and ASEAN-led institutions have developed their own "institutional strategies" with regard to the dispute since the 1990s, through which the organization has been able to manage the tensions in the region and to prevent great powers from dominating the South China Sea. By examining different individual ASEAN institutions such as the ASEAN Foreign Ministers' Meeting (AMM), ASEAN Summit, ASEAN-China dialogues, ASEAN Regional Forum (ARF), East Asia Summit (EAS), ASEAN Defence Ministers Meeting (ADMM) and ASEAN Defence Ministers Meeting-Plus (ADMM+), the book casts light on how these ASEAN-led institutions have devised and adjusted their strategies over what the author identifies as four defining periods: 1990–2002, 2003–12, 2013–16 and 2017–20. The book thus provides an alternative understanding of the strategic value of regional security institutions in the context of rising great power rivalries.

According to Kei Koga, ASEAN's approach to the South China Sea dispute is not to resolve it multilaterally but to maintain stability in the region (p. 248). To understand this approach, it is necessary to understand the complex web of ASEAN institutions, which Koga calls a "strategic institutional web" (p. 252). This web has become increasingly intricate over the decades, due to the proliferation of ASEAN-led institutions and the increased involvement of major international actors. For instance, the AMM was the only institution to discuss political and security issues, including the South China Sea dispute, in the early 1990s, but now many ASEAN-led institutions are involved.

By drawing all regional great powers into its institutional framework, ASEAN has created a system that connects different institutions with the issues or crises that they are best suited to address. Different institutions also engage with outside powers with different objectives. The AMM, ASEAN Summit and ADMM prioritize maintaining intra-bloc unity and autonomy, as well as setting ASEAN's rules and norms, while the ARF and EAS, as well

as the ASEAN-China dialogue institutions, are used for "institutional hedging" or "institutional co-option", allowing ASEAN to employ cooperative norms to try to influence other states' preferences, such as China's aggression in the South China Sea.

In Koga's view, there is ever more reason to understand ASEAN's institutional structures, as they are facing serious threats from both China and the United States. China is creating its own regional institutional frameworks, such as the Asian Infrastructure Investment Bank, and is disrupting ASEAN unity as member states are increasingly dependent on the Chinese economy. Meanwhile, the United States has long considered ASEAN institutions "supplementary" (p. 2) to its interests in the region and is creating its own minilateral frameworks, such as the Quadrilateral Security Dialogue (Quad) and AUKUS, which some view as jeopardizing ASEAN's central role in the region's security architecture (p. 2).

It is clear to the reader that despite its willingness to create new institutions, ASEAN has struggled to address its own divisions concerning the South China Sea. This difficulty is due in part to the bloc's inability to form a unified position on the issue. Here, however, flexibility proves to be one of ASEAN's strengths, which the author makes clear by tracing ASEAN's ability to improvise to adjust its strategies. The author also makes it clear that a permanent resolution to the dispute is unlikely to come to fruition so long as Beijing is intent on driving wedges between the bloc's members and resisting calls to work within United Nations mechanisms or via other multilateral negotiations to resolve the dispute. Beijing has further capitalized on this by using incentives and punishments to steer the dispute resolution process onto a bilateral pathway, thereby diminishing the collective bargaining power of Southeast Asian nations and weakening ASEAN's voice in the region.

In an argument potentially useful to American policymakers, Koga also examines how Washington turned to Southeast Asia's multilateral fora only when the South China Sea dispute presented an opportunity to gain leverage in its geopolitical rivalry with Beijing. Koga suggests that this can paint US interventions in the dispute in a negative light. In contrast to Washington's perception of these interventions as reinforcing regional freedoms, Koga emphasizes that some ASEAN states view them as "another point of concern in terms of regional stability" (p. 118) and as a problem to manage rather than meaningful assistance. It is, however, illustrative of ASEAN's flexible approach to dialogue that despite those concerns,

it decided to draw the United States into the EAS in 2011 to counter Beijing's increasingly assertive behaviour.

Overall, this is a well-written and accessible book that will be useful to researchers and practitioners alike. Koga's forward-looking conclusion is perhaps not best served by being afforded just 11 abbreviated pages, but the predictive analysis offers a measure of optimism that the current trajectory, despite a significant disruption caused by the COVID-19 pandemic, may remain stable. Developments surrounding negotiations on the South China Sea Code of Conduct (CoC) in 2023 appear to support his optimism. Although a realistic path to the conclusion of the CoC remains elusive, ASEAN's commitment to the negotiations once again highlights its time-tested institutional strategies to engage with the great powers and manage disputes for the benefit of regional peace, stability and development.

Blake Herzinger is Visiting Fellow at the Philippine Public Safety College. Postal address: Lot 2 MWSS Compound, Katipunan cor Ayala Heights, Quezon City, the Philippines; email: blake.herzinger@gmail.com.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 557–59 DOI: 10.1355/cs45-3s

ISSN 0129-797X print / ISSN 1793-284X electronic

***Stalemate: Autonomy and Insurgency on the China-Myanmar Border*. By Andrew Ong. Ithaca and London: Cornell University Press, 2023. Softcover: 253pp.**

Months after Myanmar's February 2021 military coup, anti-junta resistance fighters left their urban confines for the jungles to secure military training and support from the country's various Ethnic Armed Organizations (EAOs). At first, it appeared that the urban irregulars would secure the allegiance of the powerful United Wa State Army (UWSA), but the much-anticipated overthrow of the military junta—formally known as the State Administration Council (SAC)—has still not yet materialized and in 2022 the UWSA recommenced dialogue with the SAC, a process mediated by a Chinese envoy.

This turn of events elicits questions about the UWSA's current strategic orientation and decision-making mechanisms. However, there are no straightforward answers because of the intricate interplay between central government agencies, non-state entities and foreign interference. Nevertheless, Andrew Ong's *Stalemate*, published during this critical juncture in Myanmar's history, excels at dissecting the society and culture of the Wa State and how these shape the UWSA's strategic and political calculus, as well as offering critical insights into the perplexing behaviour of the ethnic group. Whereas earlier works on the Wa State and the UWSA have relied predominantly on retelling the history of the region, Ong examines how those past experiences impact the decision-making of UWSA leaders and the wider population in Wa State today, with a particular emphasis on the capacity of the region's populace to make independent choices, referred to as "autonomy". This fresh perspective provides a unique analytical lens through which to assess the UWSA.

Stalemate begins with a theoretically dense introductory chapter that serves as foundational scaffolding for the rest of the book. While potentially being an initial hurdle for non-academic readers, it makes the subsequent chapters considerably more accessible. Each of those chapters then adeptly strips away layers of sociopolitical complexity from the Wa State and from the UWSA's strategies that factor into the maintenance of the region's autonomy.

In Chapter One, for instance, Ong uses ethnographic approaches to conduct a nuanced, multifaceted exploration of what "autonomy" means for the Wa State's governing elites and its broader population. Chapter Two then provides an intricate examination of the Wa

State's political culture and how it deftly navigates a tenuous balance between Myanmar and China—which has considerable influence in the state—in its bid to preserve autonomy. Additionally, Ong elucidates the role of authority and social values in shaping not only intra-regional relations but also the Wa State's diplomatic engagements.

Chapter Three focuses on how the preservation of the status quo of the Wa State is achieved through a complex series of dynamic negotiations involving Myanmar, China and various other EAOs, while shining a light on different interpretations of political autonomy held by the Wa leadership and Myanmar's central government during the peace process negotiations in the 2010s. It also outlines the strategies employed by the UWSA leadership to sustain autonomy without sacrificing their broader sociopolitical objectives and without precipitating armed conflict. This chapter is the highlight of the book, particularly because of its insights into how a stalemate was maintained during the stalled peace dialogues. Indeed, the model presented of how to sustain autonomy and avoid conflict could be relevant to other EAOs, such as the Arakan Army.

Subsequent chapters delve into how capital accumulation and international engagements have been integral to the UWSA's strategy for preserving its autonomy. Ong masterfully weaves these elements into a comprehensive tapestry that provides a nuanced understanding of the intricate realities of the Wa State and the aspirations of the UWSA. These chapters are particularly useful for readers interested in economic and trade dynamics, as well as for those with an interest in the organization's relationships with the international community. All in all, Ong's *Stalemate* offers a profound and multilayered analysis of the UWSA's quest for autonomy that transcends a mere recounting of history and provides a nuanced understanding of the political and social complexities inherent in Myanmar's EAOs. It serves as an indispensable academic resource and as a window into Myanmar's evolving strategic landscape.

Although *Stalemate* only covers events up until the 2021 coup, the strategic approaches it discusses remain applicable in the post-coup context. Indeed, as a new generation assumes leadership roles within the UWSA, especially against the backdrop of the coup, it is paramount to understand how accumulated experiences and knowledge are transmitted generationally and inform decision-making. This is particularly salient in the context of China's growing assertiveness in world politics, the ongoing political crises

in Myanmar and the enduring quest of the UWSA for sustained autonomy. Although focused on the UWSA, *Stalemate* serves as an indispensable entry point to understanding the dynamics of EAOs in Myanmar more broadly. As the central government in Myanmar shows signs of weakening, many of these groups are now adopting the strategies that the UWSA has successfully employed. Moreover, as scholars, journalists and international politicians debate the anti-junta National Unity Government's roadmap to federalism and the SAC's negotiations with the EAOs, the UWSA's model could be a highly desirable example for future federal arrangements. This little acknowledged, yet palpable sentiment, amplifies *Stalemate*'s relevance far beyond its primary interest in the UWSA. This is essential reading for scholars, policy analysts and anyone keen to understand the shifting political dynamics in Myanmar.

Amara Thiha is Doctoral Researcher at the Peace Research Institute Oslo (PRIO). Postal address: Hausmanns Gate 3, NO-0186, Oslo, Norway; email: amathi@prio.org.

Contemporary Southeast Asia Vol. 45, No. 3 (2023), pp. 560–62 DOI: 10.1355/cs45-3t

ISSN 0129-797X print / ISSN 1793-284X electronic

***Electoral Reform and Democracy in Malaysia*. Edited by Helen Ting M.H. and Donald L. Horowitz. Copenhagan, Denmark: NIAS Press. Softcover: 294pp.**

Between 1963 and 2018, Malaysia was continuously ruled by one political coalition, making it decidedly an "electoral authoritarian regime". Then, all that changed quite tumultuously. The years leading up to the May 2018 general elections, when the hitherto impregnable Barisan Nasional (BN) coalition fell from power, saw sustained activism and mounting pressure for electoral reform. Civil society and opposition parties challenged the structural factors that had tilted the playing field in the BN's favour. Despite these systemic disadvantages, the Pakatan Harapan (PH) coalition won the 2018 polls and took power with a sweeping manifesto that pledged to remedy the flaws of the electoral system.

A few promises came to pass; most did not. The PH administration formed an Electoral Reform Committee which issued a report recommending amendments and enhancements. Alas, the government lasted a mere 22 months. It fell from power in March 2020 because of defections and realignments among the coalition partners. The next two-and-a-half years of Malaysian politics were marred by instability, with the subsequent two prime ministers in power for just 17 and 16 months respectively. Despite the fluidity, Malaysian politics is still shaped by the enduring effects of malapportionment, the first-past-the-post (FPTP) system and other features of electoral governance, as well as the persistent presence of ethnic politics alongside narratives of race and religion. On the positive side, however, an anti-hopping law was passed, barring elected lawmakers from changing their party allegiance, and various state polls and the 2022 general elections proceeded with widespread confidence in the integrity of the results.

A book written during this chapter in Malaysia's history is well placed to observe these dynamics of change and continuity, and *Electoral Reform and Democracy in Malaysia* marries opportune timing with outstanding research. The editors, Helen Ting and Donald Horowitz, should be applauded for distilling the fundamental problems and challenges of Malaysia's electoral system and for assembling a formidable group of scholars who have contributed insightful, authoritative chapters. The book, the outcome of an international workshop at the National University of Malaysia in March 2020, should be a definitive reference for many years to come.

The book comprises two parts, with the first themed "Democratic Impetus and the Politics of Electoral Reform". Chapters Two and Three within this segment—authored by Meredith Weiss and Khoo Ying Hooi, respectively—chronicle the discourses, agents and outcomes of Malaysia's political reform process, with a focus, respectively, on the PH coalition's short-lived administration and on the Bersih movement for clean and fair elections which began in 2006. These chapters elucidate Malaysia's demonstrable improvements in the conduct of elections but importantly underscore the vast gaps and deficiencies that remain, such as the absence of a political financing law and the disinclination of policymakers to drive democratic progress beyond the "technical and bureaucratic reforms" (p. 51) that have been instituted.

The next three chapters delve into three specific challenges: the anti-hopping law; the Election Commission; and malapportionment. When lawmakers move from the party or coalition they were elected under—a process known as "hopping"—it negates their electoral mandate and destabilizes the policies of their parties or coalitions. In Chapter Four, Wilson Tay and Jaclyn Neo helpfully compare the anti-hopping laws of selected Westminster parliamentary systems and evaluate Malaysia's efforts to follow suit. They argue that the constitutional amendments of 2022 to mitigate party-hopping marks "a step in the right direction" (p. 80). In Chapter Five, Faisal S. Hazis takes on the premise that the "foremost and urgently needed reform is restructuring the [Election Commission] into an independent, impartial, efficient and professional organization" (p. 88) and then provides an in-depth analysis of this under-researched institution. Malapportionment in the electoral system, in which Malaysia ranks among the worst in the world, receives critical scrutiny by Kai Ostwald in Chapter Six. The exceedingly large number of rural and low-populated constituencies, as well as the concomitant dearth of urban parliamentary seats, have for decades perpetuated "the core parameters of Malaysia's dominant-party regime" (p. 143). Redressing malapportionment, indeed, is a key element of comprehensive reform.

The chapters in the second part of the book, under the banner "Ethnic Dynamics and the Electoral System", investigate the rationale, scope and mechanisms of reform, with a focus on the FPTP system. Helen Ting and Benjamin Reilly—in Chapters Seven and Ten, respectively—investigate the defining features of democracy, such as the representation of voters or groups and their interests, through the lens of ethnic politics and the FPTP system.

The authors expound on how the tendency to forge pre-electoral pacts that accommodate various groups' interests has resulted in Malaysian politics gravitating to the centre ground. Although ethnicity was predominant as the organizing factor of political parties, in the past decade they have also been galvanized around other causes such as the struggles against corruption and abuse of power. This heralds the possibility of change, but the enrichment of Malaysian politics beyond ethnicity is far from guaranteed even if proportional representation is introduced to replace or complement the FPTP system.

Chapters Eight and Nine—by Donald Horowitz and Johan Saravanamuttu, respectively—supply erudite insights and even-keeled analysis of the ramifications of proportional or hybrid alternatives to the flawed FPTP model. In Chapter Eleven, regarding Malaysia's unelected, fully appointed local government, Sebastian Dettman explores the composition of local councils and expectedly finds that ethnic patterns mirror those of the political parties making the appointments. Introducing local elections may alter the pattern but the prevailing trends in national party politics will likely trickle down to the local level.

Malaysia continues to be a democratic conundrum and a work in progress. This book helps readers gain a firmer grasp of its complexities and a clearer sense of where and how reform might be possible.

Hwok-Aun Lee is Senior Fellow and Co-coordinator of the Malaysia Studies Programme at the ISEAS – Yusof Ishak Institute. Postal address: ISEAS – Yusof Ishak Institute, 30 Heng Mui Keng Terrace, Singapore, 119614; email: lee_hwok_aun@iseas.edu.sg.