

The Ideal Indonesia's Musyawarah: A Remedy for the ASEAN Way

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Abstract

Over half a century has passed, yet ASEAN is again caught between two battling giants. Utilizing a literature review approach, we delve into this issue by focusing on the ASEAN way, which is the machine of ASEAN. Contrary to skeptics' views, the consensus mechanism's negative effects stem more from the non-intervention principle, which limits its utility. However, the key to addressing this issue lies in utilizing agenda to better consensus mechanisms to create a non-interference minimalized forum. The key is that ASEAN member states are willing to fund thousands of forums to achieve consensus on various issues. Indonesia, the nominal leader that habitually hedges between great power and the owner of musyawarah and mufakat used by TAC, is the best actor to initiate this idea. Currently, when ASEAN states are divided and cannot convince, much less help each other, Indonesia's Musyawarah and Mufakat, which brings all voices, including the taboo ones, to the table, could be the key to creating a special forum where ASEAN member states become strategists to help other member but maintain the dignity and autonomy of the helped member. Ultimately, what is usually swept under the rug and hinders the consensus-building process can be minimized, and ASEAN can become a more effective organization.

Keywords: *Asean Way; Asean Non-Intervention; Consensus; Musyawarah;*

INTRODUCTION

An organization can be established and sustained either because of the functions it can perform or due to the norms and values that define its identity and symbolize its existence (Stubbs, 2019). ASEAN fall into the latter category, which is supported because the organization represents a symbol of peace in Southeast Asia and its surrounding regions (Mahbubani & Sng, 2018). This was particularly evident during the early years of ASEAN when it served as a guiding light for Southeast Asian nations amid the uncertainties of the Cold War. However, in the years following the end of the Cold War and especially after the financial crisis in Thailand, which caused a regional economic downturn, a strengthened desire to make ASEAN more functional by establishing a community framework was eventually realized in 2015.

What is important is that it took ASEAN two decades (since then) to transition from a mere regional security forum to forming an ASEAN community, and it is happening in the world that increasingly supports international organizations' legitimation for global peace and prosperity. In addition, since ASEAN is back to face another whale fight of US-China and ceaselessly being questioned about its survivability by many sceptics (e.g, like in (Jones & Jenne, 2022)), there may be some fundamental issues concerning the operation of ASEAN, or the "ASEAN way."

As reflected in the views of both sceptics and proponents of ASEAN, as compiled, synthesized, and presented by (Stubbs, 2019), there appears to be an unvoiced agreement that the ASEAN way has detrimental effects alongside its positive ones, which revolves around the principles of consensus and non-interference within the ASEAN way.

However, we beg to differ as we believe the consensus is lesser evil or even becomes problematic under the influence of the more problematic non-interference. Although it seems too idealistic, it ensures that ASEAN's decisions are win-win for all parties involved and minimize dissent when implementing the agreed decision (Natalegawa, 2018). Non-interference, on the other hand, has a more adverse influence, which made (Po & Sims, 2022) and other sceptics

label it as Myth in a negative way. Its presence compels ASEAN to turn a blind eye or even both eyes to various issues that ASEAN could have solved and not be hidden under the rug if ASEAN member states were allowed to discuss them. In turn, its member states become unable to persuade each other in effective communication when that is the only way ASEAN has to boost and support consensus decision-making.

While we cannot dismiss the possibility that some members may deliberately undermine ASEAN consensus for their interests, such as Cambodia, which made it more challenging for ASEAN to reach a consensus on various China-related issues (Pang, 2017), we believe this kind of shortcomings will gradually be mitigated as ASEAN become an organization that capable of satisfying its members. On the other hand, the negative implications of the non-interference principle will become more prominent as ASEAN seeks to improve itself, especially when member states are not confident enough to follow ASEAN's vision (Beeson & Watson, 2019). Myanmar's military choice for another Junta, because it failed to stabilize its domestic dominance (Alunaza & Toy, 2019), is one type. Cambodia's and its Mekong counterpart failure to develop better (Busbarat et al., 2021), which makes it easily induced by China and US (Van Huy & Yen, 2021), is another type.

This article aims to contribute to the discussion surrounding ASEAN's achievements and failures attributed to the ASEAN way, as well as the debate on potential solutions and the actors capable of providing them for ASEAN. We will argue that the ASEAN way, especially non-interference, is not poisonous under the right dosage, which we will explain later, including how Indonesia is the best actor with the best tools for solving the ASEAN that under the sceptics's view (e.g. (Beeson, 2020)) to be arm-bounded by its own ASEAN way.

RESEARCH METHODS

We employ a qualitative approach and literature studies in this article to investigate the challenges of ASEAN. We draw our thought based on the medicinal analogy of "the dose makes the poison" to examine whether the non-interference (which we find the most problematic) principle is detrimental to ASEAN, akin to a toxin that poisons and weakens ASEAN, as many sceptics have asserted. The answer can be found through these three key indicators: (1) internal resistance or opposition within ASEAN to this principle, (2) criticism and external pressure exerted on the non-interference principle, and (3) the instances of harm or loss suffered by ASEAN as a result of non-interference. Next, we will investigate whether its nature has changed from good to bad, which turns it poisonous (if found to be one), or rather, the dosage is the problem.

Accordingly, we will find available options to initiate change and the best actor to succeed in this endeavor. Knowing that, as Lord Acton asserts, the excessively powerful powers are susceptible to corruption, which means it will be hard to treat ASEAN if it is truly poisoned because of the principle it holds dearly. Then we will use (1) exit, voice, and loyalty from (Hirschman 1994) to find the best actor that has ASEAN future in mind, and (2) the most knowledgeable members about what ASEAN ways and its principle to be the best choice as the actor of that could initiate change for ASEAN.

This approach allows us to discern the nature of ASEAN ways and its problematic principle from the beneficial one, tell us how the should be beneficial principle become toxic, and how to find the best doctor that knows the best prescription to use the principle. This way, we could gather the formula to find an actor with an ideal philosophy to better ASEAN and how this actor can produce a remedy for ASEAN.

RESULT AND DISCUSSION

The Problematic Principle Of Asean Way

In good faith, both from external sources and within ASEAN and its member states, any form of intervention, even for legitimate reasons, is viewed by ASEAN as a challenge for it to maintain peace in the region. Through this principle, ASEAN and its member states have placed their trust in the notion that each member has enough power to resolve its own domestic issues (Suzuki, 2019). However, for non-interference to be effectively implemented within ASEAN, at least two prerequisites must be met: (1) ASEAN members must demonstrate commitment to this principle. (2) All members should be capable of resolving their internal issues without generating negative consequences or drawing global attention.

While ASEAN can satisfy the first prerequisite, as evidenced by the fact that it has not become an intrusive organization, the second prerequisite proves to be more challenging. Some members require assistance to address their internal issues, as seen in cases like Myanmar (Haosheng & Yunkang, 2023). Domestic issues within one member state, such as cases in Myanmar, Cambodia, and other troubled Mekong member states, will continue to disrupt the ongoing endeavors of ASEAN and, potentially, even sabotage it (Acharya, 2017; Loh, 2018). This is the main challenge for ASEAN, which is currently impossible to tackle. In the table below, we list various variables that pressure ASEAN to be a more intrusive organization so it can do more for its member states and their citizen:

Table 1. Variables Pressuring ASEAN's Non-Interference Principle

Category	Variables	Correlation With Non-Interference
Internal challenges	ASEAN anthem	Incompatible , as the anthem endorses for ASEAN that share and care for each other. But non-interference, makes it hard for ASEAN member states to nurture each other, as in how ASEAN can't help much in Myanmar ongoing crises (Arifin, 2022).
	ASEAN Community	Precedent and source for any concession over non-interference principle, with the ASEAN community's name in their respective departments, the voice of interference (especially for change) in soft diplomatic messages is heard every day within the secretariat (Müller, 2023), aiming to improve ASEAN.
	Minus x mechanism	Sign of surrendering to preserve non-interference , it become a source for many radical ideas for many scholars that want it being use more than just in economic integration (Emmers, 2017; Ng, 2021). Use it to better the member states that want to change (such as human rights matter) and left behind those do not want it (Petcharamesree, 2016), which may divide ASEAN member into bad and good members (Khmer Times, 2021), a worst outcome than mere interference could do.
	Minilateralism and sub-regionalism	Admission of defeat because ASEAN and its southern ASEAN member states can't do more (than China) for their Mekong's Friend (Busbarat et al., 2021; Haldar, 2023), and vice versa to southern member with BIMP-EAGA as they find their own way to integrate better with mostly the founding members of ASEAN (Dent & Richter, 2011; Rakhmat, 2022).

External Challenges	Globalization and the magnified global shared responsibilities	Pressure to change and fit with the global standards concerning democratization, human security, the environment, and numerous other conventional and unconventional issues (Suzuki, 2019).
	US-China competition	Complex duality , the situation can be likened to a bittersweet cake. It offers benefits as ASEAN members can benefit by taking one side or hedging between the two (Goh, 2016). But it is also a dangerous move (Jones & Jenne, 2022), as it can easily act as poison to erode peace that ASEAN protect with non-interference.
Challenges from	Myanmar crises and junta failure	Inadequate , UN may step in with R2P if ASEAN doesn't do more to quell the still ongoing crises (Barber, 2023; Paramadina et al., 2023; Zahed, 2021).

Source: Author research from many source

According Table 1, it's clear that non-interference have many internal resistances and even oppositions from within, criticisms, and external pressures exerted on it, and it has inflicted harm by binding ASEAN arms to make a greater difference for the region. That is shown by how ASEAN go to a length to not step non-interference, from (1) facilitating its member with more than thousands forums a year (most track two) to soften messages that are being said to each other (Stubbs, 2019); (2) Creation and empowerment of minilateralism scheme of cooperation in sub-region level, such Mekong Form for the northern members and BIMP-EAGA for its southern member state; (3) or even ASEAN minus X that blatantly become precedent for leaving out any member states. All show that non-interference has a poisonous side that keeps taxing ASEAN for its peace, member relationship, and development. However, we will discuss whether it is because the non-interference nature has changed from good to bad or the dosage is the problem in the next section.

The Solution For The Poisoned Asean Way

Although we argued before that non-interference negative influence is the bigger evil than consensus negative influence, the viable solution for ASEAN lies in the re-engineered process to consensus rather than any change to the non-interference principle, which is too radical to realize.

This argument is based on the movement to make ASEAN more intrusive, such as Thailand's 'flexible engagement' in 1998, which was not well received by the other member states (Jetschke & Rüländ, 2009). Nonetheless, the proposal was still put into practice by Singapore, which was against it before (Bellamy and Drummond, 2011), and then it was practiced in the form of informal retreats in 1999 and 2000 (Suzuki, 2019). However, the outcome is only the term "enhanced interaction" as the substitute for Thailand's proposed "flexible engagement" (Bellamy & Drummond, 2011), and the creation of three page ASEAN Troika manual that is harder to operate in practice than the informal retreat before its being institutionalized (Molthof, 2012).

For ASEAN that can only make a decision with consensus, ASEAN needs to help streamline the way to reach consensus. One policy that ASEAN took is to empower more than a thousand forums a year (mostly track two) that burden ASEAN members with the enormous costs of sending their delegates to attend them all (Stubbs 2019b). Based on the belief that ceaseless communication will lead to consensus in the end, ASEAN members can bear such exorbitant costs for some mediums to soften any voice of interference or act of meddling in their endeavor to gain their own national interest but need other members' involvement. Therefore, there should be more likely room for negotiation for ASEAN member states to agree to address the arm-bounded ASEAN by its non-interference, especially when the issue of non-interference

badly influences consensus, such as the time consumption, cost of money, and the failure to take best decision are being magnified.

However, the point is not about finding a way to tamper or even change the consensus decision-making process, as that is impossible and too radical for ASEAN. Therefore, the main point of the proposal is to change what is being talked about in the name of working for consensus, or for clarity, the point is to create a special room where the non-interference does not burdens member from discussing the taboo that should be talked about for creating a better decision that can accommodate all.

Some may argue that this notion is too hard and nearly impossible to come to fruition. Yes, we agree, but it is still achievable when the non-interference becomes less of a burden only in the created room or forum and only works for as long as the scheduled time. In a way, it is similar to the American popular notion of "What happened in Vegas stays in Vegas" rather than Vegas becoming the new normal for ASEAN. To make it more achievable and positively considered by ASEAN members, there are some rules in the Vegas room or forum, which are:

(1) The room or forum should (only) be used to brainstorm and help the mentioned country in trouble by giving viable solutions that could satisfy the said member state's preference in solving a problem. (2) The room is not for ASEAN members to pressure the said member to make a decision right in that room, but let the said members decide (outside) whether the solution presented in the room is best for them.

The point is to use the room or forum to propose solutions like a strategist to a king. Rather than lecturing the king about what is right, use the room to convince the king according to the king's interests and preferences, yet still align with the strategist's interest. The king's dignity is maintained, and his freedom to decide what is best for his kingdom still lies in his hands, which becomes the main selling point of the proposal. Additionally, this kind of king and strategies approach has been proven successful by the Indonesia-led shuttle diplomacy in the Preah Vihear temple dispute between Thailand and Cambodia that already cost some lives, that (Oktavina Yohana Pottu 2021; Putra 2015) have narrate.

In theory, such an approach can create a more conducive environment for effective, unjudgmental-open-minded brainstorming that offers better optimism and hope for the best solutions for the ASEAN predicament. In our logic, this forum will decrease the need for numerous ASEAN forums that serve merely to be used for convincing in a roundabout way about 'Walking on egg-shell matter'. We believe this forum will also lessen what is hidden under the rug, which help ASEAN better manage conflicts such as the Preah Vihear Temple between Cambodia and Thailand.

Why Indonesia Is The Key For The Problem

While ASEAN does not officially classify or rank its members, it is normatively accepted that Indonesia wields greater influence and authority within the organization. This recognition is not solely because the ASEAN Secretariat is located in Jakarta, which objectively places Indonesia as the heart of ASEAN, but also because Indonesia's unique way of managing and uniting differences puts it in a special place among ASEAN member states (Müller, 2023).

However, our preference for Indonesia as a key actor is not solely a result of its nominal leadership status. Even though Indonesia holds the nominal leadership position in ASEAN, the organization operates through consensus, meaning other ASEAN members can veto and obstruct Indonesian proposals. This has occurred with various proposals put forth by Indonesia to ASEAN (Suzuki, 2019). Therefore, the nominal leadership status is not the primary reason.

We have discussed in the two preceding sections, the core issue within ASEAN lies in the ASEAN way. The central problem revolves around non-interference and consensus, with non-interference being greater evil. However, the feasible avenue for improvement involves

seeking change (in the name) through consensus to initiate reforms of the non-interference principle. Consequently, the key actor to spearhead these changes must meet at least two criteria. First, the member proposing the proposal must maintain a clean image of not favoring either major power. This is crucial given that ASEAN is surrounded by competition between China and the U.S., making suspicions between members easier to arise (Beeson, 2020; Beeson & Watson, 2019). Therefore, the spearhead needs either a member who will not align with any major power or one to hedge between them permanently. This is a fundamental requirement to ensure that the proposal presented to ASEAN holds greater diplomatic value.

Second, the member putting forth the proposal should comprehend and practice consensus and non-interference as constitutional traits of its nation. This is vital to demonstrate that the proposal is intended to uphold these two principles within ASEAN. Consequently, the message conveyed by the proposal should emphasize a commitment to acknowledge the flaws in the process of reaching consensus and in the practice of non-interference. A professional member adept at these two principles will provide more believable solution regarding how ASEAN can enhance and more effectively and efficiently utilize both principles in its decision-making.

Based on these two criteria, it becomes evident that Indonesia is the most suitable actor to initiate such a proposal among ASEAN members. Regarding the first requirement, we can observe Indonesia's disposition to maintain neutrality and hedge between major powers (Wicaksana, 2022), as stipulated in its constitution under the free and active policy. This argument will be support by Indonesia's Hirschman's exit, voice, and loyalty framework analyses bellow:

Table 2: Analyses Of Indonesia Exit, Voice, And Loyalty

Option	Reason
Exit ASEAN as expendables	Indonesia will never choose exit, as it means losing its achievement and its bargaining values internationally (Putra, 2015; Wicaksana, 2022), a way to develop its security and economy (Irawan, 2014; Korolev & Belous, 2019; Permatasari, 2020), and a way to achieve its ambition to be global maritime axis (Auliya & Sulaiman, 2019; Sambhi, 2015). Therefore, even if ASEAN lose its function, Indonesia is the likely member to protect it till the end.
Voice Trying to make change or support maintaining the status quo	Although Indonesia is a nominal leader, it is also hard for Indonesia to convince other member states (Suzuki, 2019), but what Indonesia will lose to any exit's member is its international influence. Therefore, preserving the current status quo, or changing it if needed to better maintain Indonesia's national interest and the interests of all its members, is the pursuit of Indonesia. One such action is interreference-spiced shuttle diplomacy to quell Preah Vihear Temple conflict (Cahyaningrum et al., 2019; Oktavina Yohana Pottu, 2021).
Loyalty Trust that change or no change is the best for ASEAN	Indonesia will not choose this because the country's national interest and status as a nominal leader force ASEAN not to stand as a bystander. However, Indonesia is likely to posit itself as a loyalist and use loyal-voice for the sake of ASEAN but with its own greater interest in mind. Which shown in Indonesia's stance on China's claim about the South China Sea (Darmawan, 2018; Wicaksana, 2019), largely because of Natuna's Sea (Connelly, 2016), yet it's also an avid supporter of China's BRI as shown

how Indonesia president don't find it inappropriate to stand side by side with the notorious President Putin in the third BRI forum (Lin et al., 2023).

Source: the author research from many source

The same as what displayed in Table 2, some may argue that other members will also be likely to choose voice. Yes, we knew, in ASEAN, that all voices are heard under consensus decision-making, making ASEAN members less likely to have passive loyal members. Moreover, many will also posit themselves as loyalists and use loyal-voices since it adds value to their voice.

However, different from Indonesia, other members are having greater potential to choose exit option, because (1) they have lesser cost to lose than Indonesia. Without ASEAN Indonesia will lose the symbol that boosts its international value than merely a developing world (Wulandari et al., 2021). (2) historically, some have a relationship with great power that will open a way for them to join the said great power bandwagon and go back to safety. Particularly when great power can be forced by using moral burden to help the said ASEAN members when adequate public diplomacy is at play. (3) geographically, culturally, and economically, some member has close ties with China, which can serve as a fundament to make them forget ASEAN entirely when the benefit and deterrence from China successfully sway them to take a side (Busbarat et al., 2021). This is also what scholars have warned ASEAN about how China use this approach to balance the influence of US unilateral in the region (Van Huy & Yen, 2021), especially in Mekong and its Mekong forum that potentially divide ASEAN into northern and Southern one (Haldar, 2023).

Regarding the second requirement, the rationale for Indonesia being the most suitable actor to undertake this proposal lies in the fact that the core values of consensus used by ASEAN in drafting the Treaty of Amity and Cooperation (TAC) are "Musyawarah" and "Mufakat," both of which are traditional Indonesian approaches to peaceful decision-making that strive to accommodate the interests of all involved parties (Stubbs, 2019).

These three factors collectively grant Indonesia the authoritative voice necessary for reengineering the consensus mechanism within ASEAN. Indonesia is not only well-versed in how consensus mechanism can function optimally but also the most likely member to act in ASEAN's best interest and demonstrate the utmost consideration for preserving the integrity of ASEAN.

What Indonesia's Musyawarah And Mufakat Could Do To Improve Asean Consensus Mechanism

The next one is about what Indonesia can add about ASEAN's wrong use of consensus and non-interference. However, what needs to be pointed out is that Indonesia should refrain from using a lecturing word that overbearingly shapes both principles according to its own principle. This approach may lead to absolute failure because we know Indonesia is not a much better country than the other members, with some even getting better government scores than Indonesia (Irawan, 2014). Therefore, the message that Indonesia should tackle is to maintain consensus and non-intervention symbols as regional norms and not instill Indonesia's superiority over others with it.

This will lead us to what Indonesia needs to address. As discussed in the second part, the point that should be put forward is the intent to create a room to address the taboo. Not to lecture the king but merely to create a way for strategists to propose better strategies to the king without hurting his dignity and holy image.

We argue that the best musyawarah and mufakat-based story that Indonesia can use to convince the other members is the case of the changed Article One of the Jakarta Charter. First, it is easier

for others to get a reference, and second, it represents the most critical part of the history of ASEAN and the creation of Indonesia's Pancasila.

From the story, Indonesia can convince the others that musyawarah is never meant to be slow and keep walking on the eggshells decision-making process as if taboo is something to evade or hide about--- especially in matters with big bets for the involved parties' future. According to the case, it may seem more about the minority wanting the Islam majority to accommodate them, too, which is a case of fighting for a right (Shalilah & Hozaini, 2022; Yenuri, 2021). However, don't member states also have a right to propose a better solution for other member problems that could spill out of its border? Because we believe what the said member chooses inevitably affects (in a bad way) ASEAN and its members.

Taboo indeed needs a proper approach, as in our case uses a proper approach and medium. In the case, it was conducted through an open and legal one that specially created to accommodate all differences regardless if they are majority or minority--- the very point of ASEAN consensus mechanism (Natalegawa, 2018). In musyarawah, all voice is heard (Kawamura, 2013), and taboo is addressed so as not to create a deceptive and weak consensus that cannot be implemented after the decision is agreed upon. This makes ASEAN's use of non-interference to block problematic issues and then hide behind it to preserve peace is a big erroneous approach to using consensus.

Indonesia's musyawarah cares for consensus as it cares for the implementation of consensus or future repercussions of the said consensus decision. It is a mechanism developed by Indonesian culture to convince all at the table (and the people they represent) that they will be happy with the decision agreed upon in consensus (Hanafi, 2016). Hence, they do not need to worry about implementing (or ratifying) it. The mechanism ensures that an effective decision is taken (Majid, 2020), one that can efficiently be implemented as all are on the same page and await the same outcome or the sweet fruit of the consensus.

When taboo is evaded, it does not create a situation where one can convince another that a better solution exists, which also means it is against the pursuit of mufakat or consensus and erases the need for musyawarah itself. Without addressing taboo, the first article of the Jakarta Charter will become a source of endless conflict for Indonesia, and without addressing it, Indonesia will not have mufakat, nor will it have its perfected Jakarta Charter (Pancasila) as fast as history tells us.

CONCLUSION

ASEAN indeed faces many pressures that demand ASEAN to change, but how diverse and heavy ASEAN is with many of its member states's improper governance baggage, it's hard for ASEAN to change too much. What ASEAN currently need is a better forum for dialogue that could improve confidence and trust in one another, reaffirm all member' conviction, and gain back each member state's bet for ASEAN's future at heart level. Similar to when ASEAN could navigate the danger of the Cold War with the belief that all members are in the same vision of freedom and not to be used as a proxy from either side, such belief, trust, and confidence in each other are much needed for current ASEAN than anything else.

However, although we have determine Indonesia is the best spearhead with best tools and even identified motivations that may led Indonesia take the role, it doesn't guarantee it. Many variables can deter Indonesia conviction, such fear of failure, loss of confidence in ASEAN, and strategies for next domestic election that focus on domestic.

Also, the proposal by Indonesia may also fail to convince the member about the necessity for ASEAN to re-engineer how its consensus decision-making process work when the image and

condition of Indonesia that is governed under the claimed musyawarah mechanism become too unrepresentable, which make Indonesia unable to convince other members about how valuable the true of its musyawarah.

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