

Asian Designs

Risen Powers and the Struggle for International Governance

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COMMENTS WELCOME

[INTRODUCTION CHAPTER ONLY]

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Appendix I	ASIABASE-1: Designs of Principal External Institutions by Issue in Global, Asian, and Non-Asian Settings

Abbreviations

AADMER	ASEAN Agreement on Disaster Management and Emergency Response
ACMECS	Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy
ACW	ASEAN Committee for Women
ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children
ACU	Asian Currency Unit
ADB	Asian Development Bank
AEC	ASEAN Economic Community
AEGCD	ASEAN Expert Group on Communicable Diseases
AEI	Asian Energy Institute
AFTA	ASEAN Free Trade Agreement
AICHR	ASEAN Intergovernmental Commission on Human Rights
AMRO	ASEAN +3 Macroeconomic Research Office
ANZCERTA	Australia-New Zealand Closer Economic Agreement
APAEC	ASEAN Plan of Action for Energy Cooperation
APC	Asia-Pacific Community
APEC	Asia Pacific Economic Cooperation
APEC-EINet	APEC Emerging Infections Network
APF	Asia-Pacific Forum of National Human Rights Institutions
AP-Net	Asia Pacific Network on Climate Change
APN	Asia-Pacific Network for Global Change
APRSAF	Asia-Pacific Regional Space Agency Forum
APSCC	Asia-Pacific Satellite Communications Council
APSCO	Asia-Pacific Space Cooperation Organization
AP-MCSTA	Asia-Pacific Multilateral Cooperation in Space Technology and Applications

APT	ASEAN Plus Three
ARF	ASEAN Regional Forum
ASC	ASEAN Security Community
ASCC	ASEAN Socio-Cultural Community
ASEC-ONE HEALTH	ASEAN Secretariat Working Group for ONE Health
ASEAN	Association of Southeast Asian Nations
ASOEN	ASEAN Senior Officials on the Environment
ASEM	Asia-Europe Meeting
ATSEF	Arafura and Timor Seas Expert Forum
ATWGPPR	ASEAN Technical Working Group on Pandemic Preparedness and Response
BIS	Bank for International Settlement
BSSME	Bismarck Solomon Seas Marine Ecoregion
CEPEA	Comprehensive Economic Partnership for East Asia
CHIC	Central Huijin Investment Company
CIC	China Investment Corporation
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CJK	China, Japan, South Korea (alphabetically)
CMI	Chiang Mai Initiative
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
COPUOS	Committee on the Peaceful Uses of Outer Space (United Nations)
CTI	Coral Triangle Initiative
DSM	Dispute Settlement Mechanism
EAC	East Asia Community
EAFTA	East Asia Free Trade Agreement
EANET	East Asia Acid Deposition Monitoring Network
EAS	East Asia Summit

ECO-ASIA	Environmental Congress for Asia and the Pacific
EMEAP	Executives' Meeting of East Asia-Pacific Central Banks
EPG	Eminent Persons Group
ECDC	European Centre for Disease Prevention and Control
ECSC	European Coal and Steel Community
ESA	European Space Agency
ESCAP	UN Economic and Social Commission for Asia and the Pacific
ESI	Energy Security Initiative
EU	European Union
EWG	APEC's Energy Working Group
FAO	Food and Agriculture Organization
FTA	Free Trade Agreements
G-8	Group of Eight
G-20	Group of Twenty
GAPP	Generally Accepted Principles and Practices
GATT	General Agreement on Tariffs and Trade
GIC	Government of Singapore Investment Corporation
GLC	Government-Linked Company
GMS	Greater Mekong Subregion
GTI	Greater Tumen Initiative
H1N1	Swine Influenza Strain
H5N1	Highly Pathogenic Avian Influenza Strain
HPA	Hanoi Plan of Action
HPAI	Highly Pathogenic Avian Influenza
IAEA	International Atomic Energy Agency
ICC	International Criminal Court

ICC	APF International Coordinating Committee
ICJ	International Court of Justice
ICSID	International Convention on the Settlement of Disputes
IFSWF	International Forum of Sovereign Wealth Funds
IEA	International Energy Agency
IHR	WHO International Health Regulations
IMF	International Monetary Fund
IOM	International Organization for Migration
ISS	International Space Station
ITU	International Telecommunications Union
IWG	International Working Group of Sovereign Wealth Funds
JAXA	Japan Aerospace Exploration Agency
KORUS	South Korea-United States (Free Trade Agreement)
LAWASIA	Human Rights Committee of the Law Association of Asia and the Pacific
MBDS	Mekong Basin Disease Surveillance
MoU	Memorandum of Understanding
NAECC	Northeast Asian Energy Cooperation Council
NAPF	Northeast Asian Petroleum Forum
NATO	North Atlantic Treaty Organization
NEACEC	Northeast Asia Conference on Environmental Cooperation
NEAFTA	Northeast Asia Free Trade Agreement
NEASPEC	Northeast Asian Subregional Program on Environmental Cooperation
NFCA	Forum for Nuclear Cooperation in Asia
NOWPAP	Action Plan for the Protection, Management and Development of Marine and Coastal Environment of the Northwest Pacific Region
NWFZ	Nuclear Weapons Free Zone

NGOs	Non-governmental Organizations
NHRI	National Human Rights Institution
ODA	Official Development Assistance
OIE	World Organization for Animal Health
P4	(refers to) Brunei, Chile, New Zealand, and Singapore
PAP	People's Action Party (Singapore)
PAROS	Prevention of An Arms Race in Outer Space (United Nations resolution)
RECAP	Renewable Energy Cooperation Network for the Asia Pacific
REDI	Regional Emerging Diseases Intervention (APEC)
RET	Renewable Energy Technologies
RP	Reform Party (Singapore)
SAARC	South Asian Association for Regional Cooperation
SAFE	State Administration of Foreign Exchange
SAFTA	South Asia Free Trade Area
SAPA	Solidarity for Asian People's Advocacy
SARS	Severe Acute Respiratory Syndrome
SCO	Shanghai Cooperation Organization
SEQ	Standing Group on Emergency Questions
SAFE	Space Applications for Environment
SCO	Shanghai Cooperation Organization
SISEA	Surveillance and Investigation of Epidemic Situations in Southeast Asia
SMSS	Small Multi-Mission Satellite
SOM	Senior Officials' Meeting
SPA	Sub-regional Plan of Action
SSME	Sulu-Sulawesi Seas Marine Ecoregion
STAR	Satellite Technology for the Asia-Pacific Region

SWF	Sovereign Wealth Funds
TCS	Trilateral Cooperation Secretariat
TEMM	Tripartite Environment Ministers Meeting
TF-AHR	Task Force on ASEAN and Human Rights
ToR	Terms of reference
TPP	Trans-Pacific Partnership
TVPA	U.S. Trafficking Victims Protection Act
UN	United Nations
UNCED	UN Conference on Environment and Development
UNCLOS	United Nations Conference on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNDP	UN Development Program
UNEP	UN Environment Program
UNFCC	United Nations Framework on Climate Change
UNHCR	United Nations High Commission for Refugees
UNIAP	United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-Region
VAP	Vientiane Action Programme
WB	World Bank
WHO	World Health Organization
WMD	Weapons of Mass Destruction
WTO	World Trade Organization
YSLME	Yellow Sea Large Marine Ecoregi

**Agents of Design:
How and Why Asian States Construct the External Institutions They Do**

Saadia M. Pekkanen

In September 2011, China, Japan, and Korea brought their combined diplomatic powers to bear on the formal inauguration of the Trilateral Cooperation Secretariat (TCS).¹ The origins and evolution of the TCS, following some of the bitterest political fallouts among the three countries, had hardly been auspicious.² At its birth, the TCS – with a lofty logo depicting the “dynamic and powerful upsurge of the Great Wave” of coming change premised on trilateral cooperation – was thought of as nothing more than a photo opportunity for the political leaders involved. Its continuance is perpetually in doubt, marred with historical and territorial clashes between the three countries that are further fuelled by nationalist passions and domestic political realities.³

The TCS is peculiar for other reasons too. For Asians, with their alleged penchant for constructing soft and informal ways of institutional governance in their external relations, the TCS is a glaring anomaly. There is nothing quiet about it. It is set up as a permanent and visible organ, headquartered in Seoul – a hard and formal international organization with privileges and immunities, and with an underlying ratified charter and an agenda. Everyone knows though that big institutional drama may mean little contribution to smoothing relations or achieving concrete goals; the bigger setup also

¹ Background information on the TCS is from the official website at <http://tcs-asia.org/> (accessed 15 September 2013).

² Pekkanen 2012, esp. Table A2 on how the TCS was built on a long and winding road of institutionalized cooperation among China, Japan, and South Korea.

³ Kim Se-jeong 2013; and for overviews in historical perspectives see Wan 2008; and Rozman 2014 (forthcoming).

risks scrutiny of any failure or shutdown under the global spotlight, with domestic political blowback always the darkest menace in all three countries.

And yet here it is. Even as the TCS is marked by the undeniable possibility of turning into a high-profile miscarriage of diplomacy, it also has the glittering potential to remap the institutional future of Asia and how Asians relate to each other. If governance broadly means the formal and informal institutions, processes, and practices that guide and restrain inter-state relations, how especially China, Japan, and Korea (CJK, alphabetically) design institutions for governance in what is widely hailed as the Asian century matters a good deal.⁴ Already accounting for over 70 percent of the regional economy and 20 percent of the global one, these players are not merely rising powers; they are risen ones. It matters what they do at home and abroad.⁵

This is why it matters: at an abstract level, we know that normative and ideological mandates mark institutions, and distinguish them from others. Membership and control determine who can play and who cannot, where influence lies and whose weight matters.⁶ The TCS represents a new type of collective endeavor in a region stretching from China, Japan, and Korea in the Northeast to Indonesia in the Southeast and onto around India in the Southwest. Where it will go, and whether it will be politically transformative for the region or the world, no one knows.⁷ But it is a chance for the big three to put their own designs on future outcomes in Asia. It is also helpful to recall that how these Asian states are struggling to shape the institutional landscape, and

⁴ Foot 2012, esp. 133; Frost 2008, 4-6.

⁵ Zhu 2013.

⁶ Mazower 2012, xvi.

⁷ Beyond the TCS, a central question for many is not whether regional institutionalization will take place in Asia but rather what form it will take. See Timmerman 2008, 9.

so relations amongst themselves and with the outside world, seems to be in line with historical patterns.

Looking over even the second half of the twentieth century, we know that, before them, other dominant powers have also attempted to shape patterns of international governance in line with their interests and visions, and through many different forms. Western states have been center stage in this drama to date.⁸ Embracing the ideology of a liberal international order, the United States, for example, was instrumental in creating the Bretton Woods setup for the free world, consisting of rule-based and formal institutions that gradually over time and not without problems have come to govern wide swathes of economic activities worldwide.⁹ The Soviet Union in its heyday also used institutional mechanisms such as the Warsaw Security Pact for bolstering the Communist bloc, mirroring the North Atlantic Treaty Organization (NATO) for the advanced capitalist democracies.¹⁰ In Europe, the presence of the European Court of Justice (ECJ), although uneven in terms of its influence across cases, has nevertheless over time come to represent one model of what a core legal institution can do to gradually transform the political and social landscape for member countries in unexpected ways.¹¹

This is also why, regardless of how it plays out over time, the TCS deserves a closer look. It stands to have an impact on how the big three, individually or collectively, may attempt to structure their relations not just with each other but also the outside world. When the first Secretary-General of the TCS, Ambassador Shin Bong-kil, introduced the

⁸ Mazower 2012, xiv.

⁹ Ikenberry 2011; Bhagwati 1988, esp. 1-44.

¹⁰ For the actual pact and the treaty provisions see respectively Yale Law School, The Avalon Project, http://avalon.law.yale.edu/20th_century/warsaw.asp and http://avalon.law.yale.edu/20th_century/nato.asp.

¹¹ See Alter 2009.

institution in the United States in 2012, he urged a focus beyond headline grabbing setbacks, and beyond the contradictions of an Asia marked both by economic integration and security divisions.¹² He pointed to an Asia – with the TCS ideally positioned at its center and the “three giants” at its helm – in which the engine of trilateral cooperation would not be slowed down in the context of global challenges, partnerships, and networks facing them. To those skeptical today about the visions and missions of the TCS in the future, he underscored the perspective of the long historical run. Elsewhere, for example, it took slow-moving processes over roughly sixty years to transform the European Coal and Steel Community from its modest origins in 1952 to an integrated EU today; closer to home, the Association of Southeast Asian Nations (ASEAN) began consolidating its community building efforts about forty-five years after the signing of the Bangkok Declaration in 1967.

Nor should anyone sneer at the actual agenda of the TCS, which remains under supervision of the three powers through the trilateral meetings of their respective foreign ministries (Article 3.2).¹³ The agenda runs the gamut from politics and security, economy, sustainable development and environmental protection, to human and cultural exchange. While it may not deal directly with some of the thorniest issues among the three countries, such as territorial strife, it does cover clear and present dangers such as disaster management, energy, and counter-terrorism. For all issues, Article 2 of the Establishment Agreement calls for supporting the operation and management of a trilateral “consultative mechanism,” and for facilitating the exploration and implementation of projects. The

¹² Bong-kil 2012.

¹³ Specific provisions in this section refer to the English text of the “Agreement on the Establishment of the Trilateral Cooperation Secretariat Among the Governments of the People’s Republic of China, Japan, and the Republic of Korea,” available online at <http://tcs-asia.org/> (accessed 15 September 2013) (hereafter the [Establishment Agreement](#)).

emphasis, in some cases, has also shifted beyond trilateral dialogues and efforts, some predating the moves toward the TCS itself. Cooperation over mundane issues such as transport and logistics, customs, and standards harmonization in the region is continuing to be designed to seamlessly undergird the infrastructure for further economic integration. Positioning the TCS as the hub of institutional governance in Asia is also critical, with Article 3.1b mandating that it shall carry out communication and coordination particularly with other East Asian cooperation mechanisms.

The themes that come together in the TCS – the power and positioning that motivate its founders, the struggle to define its mandate and functions, the political and social dynamics that affect its evolution – serve as an important illustration of what is going on throughout Asia today. There is, if you will, a sort of institutional frenzy in contemporary Asia. Unfortunately, though, despite the hype, the sum total of our foundational knowledge about what Asian states, much less all other Asian actors, are doing across the board in structuring institutional patterns, is still quite limited.¹⁴

This is the pivotal lacuna animating this book. In it, fourteen international relations (IR) and Asia specialists were motivated by a desire to better understand what kinds of institutions exist in Asia across the board, how and why Asian states construct institutions the way they do whether in the region or beyond, what kinds of institutionalized norms, rules, and structures they might bring into play in their international and foreign relations, how they might shape the contemporary regional and world order, and what consequences altogether their actions might have for global patterns of governance.

¹⁴ Some key works that grapple with this are Pempel, ed. 2005; and Timmerman and Tsuchiyama, eds. 2008.

This is a work of international history, politics, and policy. We combine these strands to better understand the construct and context of institutions involving Asia, and to contribute to debates about how these may, or may not, become politically transformative both for the region and the world. This chapter serves to frame the book. Its goal is to provide a new way to approach Asia's institutional makeup by disaggregating it into various types; and, based on it, to provide a more coherent institutional map of contemporary Asia. On this basis, it sets the stage for asking broader questions about the forces that are shaping the institutional map, and what it may all mean for Asia's place in the world.

The roadmap to the remainder of the chapter is as follows. For background purposes, the first part provides a very brief overview of the changes both within and beyond Asia that have drawn considerable academic and policy attention. Despite these changes, however, a particular narrative of "institutionally weak" Asia has proved difficult to dislodge. The second part, therefore, turns more specifically to some reasons as to why we need to move beyond it. To do just that in a comprehensive fashion, the third part advances an ideal-type institutional typology that allows us to take stock of the widest possible number and contents of Asia's institutions in the economics, traditional and non-traditional security, and human security fields. The fourth part discusses the patterns that emerge, both from applying this typology to over 6,000 institutions and by embedding it in specific case studies that are spread across these fields. They both suggest that, in important ways, Asia's institutional makeup echoes what we see in other regions, which has implications for how Asia may attempt to design and influence outcomes through institutional settings in non-Asian and global settings.

The fifth part sets out some common frameworks, and from them some unidirectional hypotheses, that the individual chapters take up, as appropriate, in assessing the institutional types in a wide spread of cases. These frameworks draw on standard state-centered, socialization, and domestic political approaches in IR. The case-based analyses then embed the institutional typology in their narrative, specifically related to trade, currency, investment, WMD, space, energy, human rights, health, and environment. We return to the issue of commonalities and differences across the cases in the concluding chapter to the book. The investigations of the role of state and non-state agents, as well as the political and social contexts in which they operate, show limits to any one set of unidirectional hypotheses. Understanding the history, experience, and struggles of designing external institutions in a cohesive fashion across the cases does, nevertheless, give us an opportunity to consider how the institutional forms may change and what they may mean for structuring both regional and global relations with Asia.

Asian Designs for the Region and the World

Although the TCS is an important symbol of the changes in Asia, it is hardly the only momentous one. In this book, we bundle Asia's varied players together to provide an overview of some of the key ways in which Asia, as a whole, is transfiguring.¹⁵ Just as

¹⁵ Pempel 2005; Dent 2008, 3-6. There is no denying the diversity of historical experiences, political regimes, wealth disparities, religious differences, and demographic trends within and across Asian countries, as noted typically by Beeson 2007, 7-10. The region is also not without its problems, in terms of environmental, energy, territorial, weapons, health, human rights, and poverty challenges to name a few. Nevertheless, as Shambaugh 2008, 5-7, notes a wide range of collective indicators show Asia's increasing, and at least at this stage seemingly irreversible, prominence and power in the world order: economic size (already 35 percent of the global economy), growth rates (world's fastest rates, with no flat or negative rates in the past twenty-five years), GDP (China, Japan, India as three of the top six nations in the world), global currency reserves (64 percent of the total, with eight of the world's ten largest holders), trade volume (one-third of global trade volumes), capital inflows (60 percent of global capital inflows), spending on science and technology innovation (Asian spending dwarfs shrinking budgets in the West), demographics

the “West” is more than a geographical expression, Asia too can also begin to be identified through its blurry sets of norms, behaviors, and institutions that are not determined by physical borders alone.¹⁶ The shifting economic and institutional significance of Asia for both the regional and world order is widely noted, with some suggesting that there may even be a radical shift in the international system altogether.¹⁷

There are certainly remarkable economic changes in the levels and integration of trade, investment, and finance flows among the countries in the region, which have collectively traveled a long historical road together since the Asian financial crisis in the late 1990s.¹⁸ The debates about Asia’s historic economic rise remain undeterred by the unevenness of economic patterns based on such flows, or even the possibilities of their reversal; they also remain undaunted by continuing controversies over defining any region, let alone Asia, along certain materialist, ideational, behavioral, and geographical dimensions.¹⁹

Parallel to these economic changes is the resurrected interest in regionalism, which means today generally meant what it denoted earlier: a focus on inter-governmental collaboration and the process of top-down institutional creation, but with due regard for bottom-up non-state forces.²⁰ This institutional frenzy commands attention. As a leading authority puts it, the regionalism we see across Asia today is “more complex,

(about 60 percent of the world population), standing armies (five of the world’s ten largest in China, India, North Korea, South Korea, and Vietnam), arms imports (six of the world’s top ten arms importers, including China, India, Japan, Pakistan, South Korea, and Taiwan), defense expenditures (almost equal to European NATO countries), and defense budgets (two of the world’s top four budgets in China and Japan).

¹⁶ Ferguson 2011, esp. 15.

¹⁷ Mazower 2012, xviii.

¹⁸ Pempel 2008; MacIntyre. Pempel, and Ravenhill 2008; Aggarwal and Koo 2008, 6.

¹⁹ Pempel 2005, 24-28; Katzenstein 2005, 2, 6-13; Jones and Smith 2007, 173-177; and Dent 2008, 2-6, 272-294.

²⁰ This merges useful clarifications from Ravenhill 2001, 6; Pempel 2005, 19; and Yoshimatsu 2008, 6-7.

more institutionalized, and more ‘Asian’ than it was when the crisis struck.”²¹ At heart, the new interest signifies a focus on how Asian states, big and small, struggle to structure and shape their external relationships within, across, and beyond the region.

The contemporary economic changes and institutional frenzy have already combined to produce a number of interesting analytical turns and policy concerns. Some works, for example, have moved ahead and focused attention on whether Asia is rising, leading, or integrating.²² Others have focused mainly on the webs of preferential and mostly bilateral economic agreements, until whose arrival the supply of regionalism by states often exceeded its demand by non-state actors.²³ The ongoing Asian processes also fuel teleological controversies about whether the trajectory of experiences elsewhere in the past, such as in Europe and North America, are relevant to Asia’s institutional map in the future.²⁴ Still other works are beginning to point to tussles of consequence in international organizations, a sort of “new” new international economic order that, this time around, has bite because of the ongoing power shift in favor of the demanders.²⁵ Already, Asian states are not only designing new institutions by and for Asians, they are also clamoring for greater say in the design and running of the Bretton Woods institutions, in which both the United States and European countries have long called the shots.²⁶

The matter also extends beyond formal global multilateral organizations. The material interests of both middle and dominant Asian powers in natural resources and alternative sea routes has also begun to reflect in their desire to participate in the

²¹ Pempel 2008, 164.

²² See, for example, Mahbubani 2008; Acharya 2008; Zakaria 2008; and Munakata 2006.

²³ Ravenhill 2004, 65-66.

²⁴ Breslin, Higgott, and Rosamond 2002; Wallace 1995; Acharya 1997; Haggard 1997; Jones and Smith 2007, 165-186; Pempel 2005, 5; Munakata 2006, 3-4. [Nakamura, Eichengreen]

²⁵ Aggarwal and Weber 2012.

²⁶ See, for example, Reddy, Amiel, and Gauthier-Villars 2011; and Dobson 2013.

governance setups of other critical regions, such as the Arctic which is seen as an emerging region of its own. In May 2013, the Arctic Council let in a total of six new states as permanent observers; of these, five hailed from Asia, namely China, Japan, Korea, India, and Singapore.²⁷ All of them have sought economic opportunities in the region, and reportedly all see their participation as a means of influencing permanent members and outcomes in the Arctic Council. The accompanying global rhetoric too coming out of Asia is beginning to shift. There have already been calls also for the radical “de-Americanization” of the postwar Pax Americana international system that may well have gained currency in the aftermath of the financial debacle in the United States.²⁸

Given the kinds of analytical and policy developments that are coming to the fore, it is not too early to begin asking questions more generally about Asia’s involvement in external institutions, whether regional or global, multilateral or not. Indeed, there may not have been a better historical moment to do this than now. Institutional design is contested precisely because it can affect, positively or negatively, the conduct of purposive states and non-state actors, as well as the results they may seek to bring about or influence in a policy area at the regional or global level.

The Reigning Narrative About Asia

Although it is heady to contemplate what Asia might end up doing in the long run both regionally and globally, we need to first get a better grip on what Asia is doing across the board at present. Here, we confront a particular narrative about Asia and its

²⁷ Myers 2013. Italy was the sixth country.

²⁸ Chang 2013.

institutional makeup. Put simply, it is this: The distinctive feature of contemporary Asian is still weak institutionalization; as in the past so today the emphasis is on informality. More particularly the “‘Asia-Pacific way’ is a preference for evolutionary non-legalistic methods and non-binding commitments” which also extends to dispute settlement mechanisms.²⁹ As in the 1990s, so also going forward in the 2000s, “minimalist institutionalism” continues to be the order of the day for influential regional subgroups, and calls into question the very basis for understanding institutional strength in main international relations theories such as legalization.³⁰ While not the focus for this book, this contrast is especially prominent in comparative analyses. When highlighting principal comparative differences between, say, European and Asian regionalism, the premise is that Europe relies on formal institutions founded on predictability, transparency, and the rule of law whereas Asia does not and, for the foreseeable future, also seems set on not creating any such formal frameworks of the kind.³¹

There are several reasons for doubting the continued importance of this narrative.

First, much of what we understand about Asia is based only on a handful of cases, which makes for a rather narrow analytical base. These include the few well-known formal organizations in or involving the region, such as ASEAN, the Asia Pacific Economic Cooperation (APEC), or the ASEAN Regional Forum (ARF). Looking at

²⁹ Katzenstein 2000, 1; Acharya 1997, 329, 334.

³⁰ Ba 2009, esp. 18-19.

³¹ Frost 2008, 11-14. See also Katzenstein 2005, 96; Aggarwal and Koo 2008, 7, 13. In contrast to European regionalism characterized by law in an emerging polity, Asian regionalism, for example, is still said to be distinguished largely by non-institutionalized dimensions, such as the competition of national economies and ethnic groups in growing markets. In comprehensive and integrated analyses of Asian regionalism, Asian countries are said to govern their economic and security relations through a *mélange* of institutional and semi-institutional measures, which are characterized by criteria such as the number of participants, geography, scope, and strength. When assessing the importance of the criterion of strength in particular, referring to the precision and obligation of rules, analysts hold to the contrast between European economic integration built upon specific and binding rules and Asian economic integration built upon declarations, intentions, and voluntary commitments.

them alone is cause for dismay from a hard rule-based institutional perspective.³² For many, they capture the essential characteristics of East Asian institutions, namely informality, consensus, and open regionalism.³³ Looking at their performance alone, it can thus well be claimed that East Asia has far fewer legally embedded, broadly encompassing, and deeply institutionalized regional bodies.³⁴ In general, the role of security-related, let alone human rights conventions, also commands little respect from a formal rule-based institutional viewpoint. But with the economic and institutional transformations underway across Asia today, these omnibus institutions are certainly no longer the only basis for characterizing the institutional makeup of Asia wholesale.

Second, even a cursory look at the actual Asian involvement in external institutions, including hard and formal ones, also suggests that we need to be cautious. This international history is not in dispute. Asian states have, variously, been members of all the major global economic and political institutions at their historic starts, such as the World Bank (WB), the International Monetary Fund (IMF), the General Agreement on Tariffs and Trade/World Trade Organization (GATT/WTO), the Bank for International Settlements (BIS), the United Nations (UN) and its agencies such as the United Nations Conference on Trade and Development (UNCTAD), the World Health Organization (WHO), and the International Court of Justice (ICJ). They have participated in the International Convention on the Settlement of Disputes (ICSID), as well as litigation in open and closed tribunals around the world.

They have supported many treaties prohibiting the testing, proliferation, and/or emplacement of weapons of mass destruction, as well as the formation of nuclear

³² See, for example, Khong and Nesadurai 2007, 32-82; and more recently Simon 2013.

³³ Solingen 2005, 31-38.

³⁴ Pempel 2005, 4.

weapons free zones. International Maritime law, as well as the UN Conference on the Law of the Sea (UNCLOS) govern their extra-territorial or navigation behavior, and affect their territorial claims and rights. Elsewhere, they have been party to almost all of the major environmental conventions, including the UN Framework on Climate Change (UNFCCC) and its Kyoto Protocol, as well as others related to the conservation of plants and animal such as the Cartagena Protocol on Biosafety, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). They have also signed a wide range of human rights conventions, as well as joined relatively newer high-profile institutions such as the International Criminal Court (ICC), with controversial implications for their sovereignty.

Given this long and involved history, what is thus disputable, puzzling even, is the alleged continuing behavior of Asian states. Despite decades of socialization in such rule-based formal institutions, despite awareness of their problem-solving benefits in interstate and transnational settings, and despite even recognition of their positive spillovers as in European integration, the reigning narrative suggests that Asian states have chosen *not* to institutionalize their region in similar ways even some of the time.³⁵ This is all the more fascinating because typically Asian elites in governments have been educated and socialized in the West. Their socialization in institutional forms in non-Asian settings, in other words, has had no discernible impact on the way they choose to structure their own relations and governance forms.

Third, even as the intellectual inertia continues to carry the familiar institutional weakness narrative forward, the landscape has actually begun to shift in fundamental

³⁵ Checkel, ed. 2005; Martin 2006, 659.

ways across numerous areas in Asia.³⁶ This was highlighted at the outset, but it is also becoming evident among proponents of this narrative. Even those highlighting the reluctance of East Asian countries to move toward formal regional institutional frameworks, for example, began to note a change in attitude in the aftermath of the Asian financial crisis regarding the utility of formal mechanisms to resolve regional and domestic problems.³⁷ The very same Asian approach that appeared to prize “a high degree of discreetness, informality, pragmatism, expediency, consensus-building, and non-confrontational bargaining styles [in contrast to] the adversarial posturing and legalistic decision-making procedures in Western multilateral negotiations,” were even then remarked to have already undertaken GATT-style legalistic approaches across a range of negotiations, and to have made movements toward formal procedures more generally.³⁸

So, overall, despite the lingering perception that Asian states only ever construct weak institutions, the reality is that they also sometimes design more robust ones to govern across and even within issues. But how would we know?

Characterizing Institutional Types

There is a practical way to begin moving on from the weak-strong dichotomy in the reigning narrative about Asia. That is to begin thinking more seriously about ways to characterize the different institutional types that are out there. Doing so also moves us away from monolithic views of institutions as structuring relations or not among

³⁶ Kahler 2000, 179-183; Pempel 2008.

³⁷ Munakata 2006, 35-36.

³⁸ Acharya 1997, 329, 335-336, concedes that the Asia-Pacific notion of “soft regionalism” can be overstated.

countries in Asia. Instead, it forces us disaggregate the particular types that are more, or less conducive, to the governance and realities of specific issues in this region.

To make headway on these fronts, we categorize and then investigate the new unfolding map of institutions involving Asian states in the economic, security, and human security fields that cover the broadest swathes of activities between countries. Specifically, we advance a general typology that can stretch across numerous cases and time, and that allows us to categorize and compare a significant number of external institutions involving Asian countries and others. We briefly explain how it is derived and what its findings suggest about contemporary Asia.

Institutions and their Comparable Dimensions

To get a more complete picture of the number and contents of the full spectrum of Asia's institutions, we put the typology into a workable construct – specifically in the concrete form of a database, dubbed ASIABASE-1 as laid out in Appendix I – that stretches across all potential fields, sectors, cases and so on, and that can also be stretched over time. To briefly explain its mechanics, we build on standard definitions of institutions as well as works that pinpoint some of their institutional dimensions over others.

Best defined as an enduring collection of rules and organized practices, numerous external institutions, hard and soft, have prescribed, proscribed, authorized, and also empowered the conduct of all Asian states across economic, political, and societal realities over much of the postwar period.³⁹ This constitutes our working definition of institutions, and where we find one we simply count its presence and categorize it as

³⁹ March and Olsen 2006, 3.

explained below. The word “external,” as opposed to just international, needs explaining. We used it to cast the net as wide as possible across Asia and elsewhere, thereby including multiple, nested and overlapping institutions that are common in the literature but that are habitually not analyzed together: international-global, international-regional, global-multilateral, regional-multilateral, regional-bilateral, and so on.

To codify all institutions, we isolated a number of institutional dimensions that have been prominent since the late 1990s. These include, for example, the dimensions of “strength” (stringency of multilateral rules to regulate national behavior), “nature” (degree of openness promoted by the accord in an economic sense), and “scope” (number of issues and agents).⁴⁰ Over time, the dimension of legalization has also risen to the fore, with its differing components of precision (unambiguous definition of the conduct required, authorized, or proscribed), obligation (being bound by rules and commitments), and delegation (authorization of third parties to implement, interpret, and apply rules, and possibly make further ones).⁴¹ Some of these dimensions have also been extended in interesting directions, with membership and scope, for example, supplemented more cohesively with the dimensions of centralization, control, and flexibility.⁴² They have also been combined imaginatively to distinguish and compare domains and regions to others, such as membership (type and number of institutional principals), legalization (the character of rules and degree of third-party delegation) and, related to it, rule-making methods (modes of creating rules).⁴³ Meanwhile, others have also highlighted the

⁴⁰ Aggarwal 1998a, esp. pp. 3-4, concentrated primarily on the “institutional scope” dimension in this work, referring to the number of agents involved. See also Aggarwal 1998b.

⁴¹ See Abbott, Keohane, Moravcsik, Slaughter, and Snidal 2000.

⁴² Koremenos, Lipson, Snidal 2001a.

⁴³ Kahler 2002, esp. 39-41; and Kahler 2010. Kahler has also moved forward on this front with Andrew MacIntyre to look at Asia more closely [Miles Kahler and Andrew Macintyre, eds., forthcoming]

importance of joining dimensions in the rational institutional design literature with those more common to sociological approaches, such as norms (meaning, according to the authors, the formal and informal ideological goals of the institution) and mandate (the overall purpose of the institution).⁴⁴

From this lineage, we extract and combine two dimensions that allow us to categorize the design of all possible external institutions into specific ideal-types within and across cases. The typology is stark in that it looks for variations in the strength of only two underlying dimensions in each institution, namely organizational structure (formal or informal, depending on some combination of the extent of *centralization, control, and flexibility*) and legal rules (hard or soft, depending on some combination of the extent of *precision, obligation, and delegation*). As even the brief survey above reveals, these are of course not the only dimensions of design that are critical in space and time;⁴⁵ but together they provide a uniform covering structure that make comparisons within and across different cases of study possible. In various ways these are also, as discussed later, the ones most conflated in assessments of Asia's "weak" institutionalization.

[TABLE 1.1 ABOUT HERE]

This typology anchors the remainder of this book. It has several virtues, perhaps the most important being that it helps to frame and structure a project of this size as a whole.⁴⁶ It is necessary if we are to get a new more complete picture of Asia, and if we

⁴⁴ Acharya and Johnston 2007, esp. 21-22.

⁴⁵ Another example of a 2x2 typology of institutions is the exclusive-inclusive axis paired up with the competitive-noncompetitive one. See Yamamoto 2008, 24-26.

⁴⁶ We are not unmindful of the many problems that are typically found in simplistic 2x2 typologies like the one undergirding ASIABASE-1. These include, for example, the following: (1) we give the same weight to the WTO as to a BIT or an enduring practice of non-state actors; (2) we do not account for how much an

are to begin analyzing and generalizing about Asia on the world stage. While it can lend itself to comparative analyses, we are more focused on what the typology's findings mean for the projection of Asia's designs both for the region and abroad. Can we say something general about Asia's struggle to design its own place in the world? Although of course, even then, we cannot posit a direct line of influence from what Asian states are doing in their own region to what they may or may not seek to do at a global or extra-regional, this exercise, coupled with case studies, puts us on a surer footing for understanding their material and normative motivations, as well as generating sounder predictions of how they may choose to structure their relations amongst themselves and with the outside world. Only then will be in a better position to contribute to the roiling analytical and policy debates at the outset.

The Actual Patterns on Asian Designs

With the institutional typology in hand, the actual process of categorization and analysis relied on the expertise of the fourteen IR/Asia specialists working in their specific areas in two ways: first, identifying and coding the institutions in the construct of

institutional form matters in the real world with some covering trillions of dollars to others covering just a few thousand or covering millions of people to merely a few; (3) we do not account for how institutional types of different sorts may be nested in bigger organizations; and (4) we do not account for temporal change or transformation among the categories themselves and merely present a snapshot in time, etc. ASIABASE-1 is designed to make a start at coming up with a comprehensive map of institutions involving Asian actors, and can be extended and refined in the future by others as well. One of its virtues is that it is simple and straightforward. None of the authors in this book had too much trouble using the institutional typology, finding it fairly convenient in terms of a basic classifying rubric. As their cases were spread out across markedly different fields in IR – economics, traditional and non-traditional security, and transnational human security – it was gratifying to find that they could classify the institutional designs in their respective cases in line with the book's typology quite rapidly and with little difficulty. Additionally, as with any counting and categorization exercise, we do not believe the typology works in isolation. To flesh it out, we seek to embed its proposed institutional types and findings within the case studies that then also closely investigate the political and social context of the institutional types over time.

ASIABASE-1; and second, also embedding the narrative of the typology in specific case studies. The main findings from each are discussed in succession below.

Key Findings from ASIABASE-1

First, using their expertise and in line with the book's typology, the experts in this book helped pinpoint and designate the principal institutions within their respective areas of research. As an initial cut, we endeavored to cover the principal external institutions that govern some of the most critical areas of interest across the globe today. In addition, we also selected cases because they would allow substantial variations with respect to both outcomes (designs) and causes: In the economics field, we covered trade, currency, and investment; in what we call both the traditional and non-traditional security field, we selected weapons of mass destruction (WMD), space, energy; and finally in what we dub the transnational human security field,⁴⁷ we included human rights, health, and the environment. This avoids the problem that bedevils the study of Asia, in which analysts make sweeping generalizations based on one field or the other.

The results are set out in ASIABASE-1 in Appendix I. It puts all principal institutions involving Asia in specific fields in both comparative and global perspective. ASIABASE-1 can be a useful building block that can be both extended and refined by future studies, thereby helping to improve its spatial and historical span. But at this stage we can say that, to the best of our collective knowledge, the scope and scale of

⁴⁷ It has always been difficult to determine the category of cases that do not fall readily into the economics-and/or security-related ambit. Our choice to describe the set of cases here under the rubric of transnational human security is loosely inspired by the United Nations Development Program (UNDP) 1994 *Human Development Report* that advanced categories of seven threats which affect the fundamental security of all citizens everywhere: economic, food, health, environment, personal, community, and political (which includes human rights). See UNDP 1994, 24-33.

ASIABASE-1 is novel and unprecedented because it categorizes the design of over 6,000 institutions worldwide under one rubric. As a first cut, this exercise allows for a more solid basis for comparisons across diverse fields, across regions, and across the world as work on the IR of Asia continues

The numbers sound impressive until one carefully considers their relevance and distribution. The picture ASIABASE-1 presents is at once more sobering about the relative role and type of institutions in Asia and beyond, and the fields in which they hold sway. Three patterns stand out.

First, there is a single pattern from ASIABASE-1 that deserves close attention as it eclipses all others. Figure 1.1 shows an institutional breakdown by all issues worldwide. It is clear that, if numbers alone measure the sheer importance of institutions in the fields covered, and if we assume that all institutions are of equal importance, regardless of their type, field, quality, and effectiveness, then the most striking feature that comes out of ASIABASE-1 is that over 90 percent of all institutions are used to structure investment realities worldwide, with even those in the trade and currency fields well down the curve.

[FIGURE 1.1 ABOUT HERE]

This pattern probably explains why studies concentrating on such fields as international trade, currency, finance, and investment, whether in or out of Asia, tend to take up what one annoyed participant working in the security field termed the “institutional hammer” in the study of inter-state relations. If one looks out at the world only from the perch of international political economy (IPE) analyses then it does indeed seem that, with 95 percent of the total, institutions are ubiquitous. The point, though, is that this is not the only world. The reason for the participant’s annoyance – and possibly

worry if institutions undergird governance and hence influence the likelihood of cooperation among states – is that in stark contrast to the economic one the security field accounts only for a little over 1 percent of the known principal institutions worldwide. Even the human security field does not do much better in comparison, with only about 3.5 percent of the known total.

This reality has a bearing not just on the issue of what works and does not work in practice. It also matters for the theory of international institutions, one element of which stresses their relevance in the security and human security spheres as much as in the economic one. In fact, this lay at the heart of much of the earlier theorizing in international regimes and game theory in the 1980s that endeavored to bring different fields under the same analytical frameworks.⁴⁸ What the patterns here suggest is that we need to continue to refine ways to disaggregate institutional dimensions, to see when they are relevant and when not to real world affairs beyond economics, and to ask when and why states might favor some types of external institutional designs over others in those cases. More practically, for our purposes, this also means that Asia alone cannot be singled out as a place where states are reluctant institutionalizers in the security realm -- the fact is beyond the international economics field, institutional forms are relatively rare in the international system.

Second, another good overall picture is in Figure 1.2, which compares institutional designs worldwide. It shows that at a global level, we see a fairly strong mix of all four institutional types. In fact, it is really at the global level where we see the presence of the most robust kind of institutional type around, namely one with hard-rules encased in formal-structures (HRFS) such as the Bretton Woods institutions or the WTO.

⁴⁸ See, for example, Krasner, ed. 1983; and Oye, ed. 1986.

This type, however, has not filtered down to the regional levels, perhaps suggesting that this HRFS form is either historically unique to or most appropriate for the global level. If we compare institutional types from Asia to non-Asian regions, the idea that Asian have a strong preference for the “Asian way” of doing things as the reigning narrative suggests – one measure of which is constructing institutions with mostly soft-rules and informal-structures (SRIS) – then that is simply wrong. Instead, the overwhelming pattern is that both Asian and non-Asian settings are characterized, indeed dominated, by hard-rules-informal-structure (HRIS) type institutions. In other words, this HRIS form deserves attention, as it may be the most workable and practical type around for structuring relations among states worldwide.

[FIGURE 1.2 ABOUT HERE]

Asia is as institutionalized as other regions, and in the same ways. But it is also important to take a closer look at the breakdown of all fields by institutional types in both the Asian and non-Asian contexts. This helps to place bounds on the continuing reign of the institutional-weakness narrative by many specialists that is sorely needed, and also speaks to the dual-Asia reality where we see progressive economic integration but also menacing security divisions at the same time. Figure 1.3 uses concentric circles to get at this issue. As the outer circle in Figure 1.3 confirms, Asia is pretty similar in terms of the concentration in the economics sector.

[FIGURE 1.3 ABOUT HERE]

Though of course we are talking about a very small portion of the total altogether, we can see some interesting distinctions in the areas of traditional security, non-traditional security, and human security. In a side-by-side comparison these fields

account for, very roughly, 20 percent of all institutional types in the Asian region compared to 5 percent for non-Asian regions. In other words, it is in Asia that we find a heavier concentration on external institutions in the non-economic fields, particularly those to do with human security – health, environment, but much less so in human rights – where Asian states face their biggest real challenges as they continue to forge their rise. But how are they dealing with these challenges in the context of external institutions? As Figure 1.3 suggests, the design matters, and distinguishes the Asian region somewhat from its counterparts. For both traditional and non-traditional security, represented by the middle circle, Asian institutions are similar to their non-Asian counterparts in terms of an emphasis on soft-rules. A similar pattern is reflected in the innermost circle, focusing on human security. However, we can see that in all these fields, these same soft-rule Asian institutions are marked by informal structures. This may reflect a lack of enthusiasm by Asian states for any kind of formalization, the inability of non-state transnational actors to move them in the direction, or, at a much more mundane level, the capacity constraints of Asian states in terms of human and pecuniary resources that they are able or willing to devote to these issues.

In all, ASIABASE-1 provides an important corrective to our understanding of the role of external institutions in structuring relation in and with Asian states. The most important patterns that jump out at us is not that Asia is weakly institutionalized, but that it is remarkably similar to the patterns found worldwide and in non-Asian regions. Almost all external institutions in Asia are found in the economic field, and in terms of sheer numbers the most heavily favored type is the hard-rule informal-structure (HRIS) one. As elsewhere, there is little emphasis on traditional security institutions, and when

they do exist they are united by their underlying emphasis on soft-rules. A similar story is found in the human security field. One marked difference is the lack of formal structures in non-economic fields, relative to other regions.

But it is not Asia alone of which this is true. If we take out both trade and investment issues that dwarf all others, we find that a very rough 60 percent of the principal institutional designs around the world can be categorized as those with soft-rules-informal-structures (SRIS). This suggests that overall it is less about the hardness of the rules than about the informality of the organizational structure in which they are embedded that may be critical to understanding patterns of inter-state relations worldwide.

The fact is that organizational formality and legal hardness – the hitherto conflated twin standards by which Asian institutional designs are always judged – appear to characterize global institutions more than they do regional ones all around. What is true of Asia, in other words, is also generally true of other geographical regions for the known principal institutions in ASIABASE-1. Across North America, Latin America, the Middle East, Africa, and even Europe, it is the *informal organizational structure that appears to be the underlying structure of choice*, irrespective of whether the legal rules are themselves hard or soft. Organizationally speaking, governance worldwide is informal. Nimble, flexible, structures appear to be the most useful and used in actual state practice.

Moreover, it is simply not accurate to describe Asia as non-legalistic in terms of setting up and designing a range of rule-bound institutions; it would be more in keeping with the evidence to say that Asian states see *informal organizational structures as most*

*conducive to structuring inter-state relations no matter what the quality of the rules.*⁴⁹

Perhaps for pragmatic reasons that require flexibility in both domestic and foreign politics, this cautionary aspect of Asian designs is not out of line with what we have observed historically across issues and actors.⁵⁰

Key Findings from the Case Studies

Since bean counting alone is not the only way to come at a problem of interest, we also moved to balance concerns with sparseness (e.g. problems with lack of depth, inattention to spatial and temporal dynamics) and complexity (e.g. problems with generalizability, comparisons) with ASIABASE-1.

This brings us to the second way in which the authors contributed to the study, through case studies that set off the general findings from AISABASE-1 with those more sensitive to historical and transformational contexts and dynamics. By embedding the institutional typology in the cases that represent different chapters in this book, the authors investigate the political and social context driving the institutional types in their area of expertise. This allowed them to trace the evolution, designs, and transformations, of the external institutions they deemed critical in diverse cases under the broader economics, security, and transnational human security fields. Moving away from the straitjacket of the dimensions proposed, they were then also able to bring in ideational, ideological, and sociological considerations in the dimensions of institutional designs.

This collective exercise allows us to come up with a basic picture of the spread, depth, and design of institutions within and across fields. Rather than providing extended

⁴⁹ Acharya 1997, 324.

⁵⁰ Lipson 1991; Goldstein and Martin 2000.

individual summaries of each chapter at this stage, we combine them with the results from ASIABASE-1 to make more general points below about the shape of institutional design types involving Asia. Importantly, the case studies echo the unifying theme of organizational informality in combination with varying degrees of hardness in the underlying legal rules. They also raise substantially important general themes about the makeup and relevance of international institutions, themes that we return to in the concluding chapter.

Design of Economic Institutions

In the economics field, the cases include currency, investments, and trade, which are among the most scrutinized aspects of debates about Asian regionalism.

Vinod Aggarwal and Min Gyo Koo remark first of all that in trade we have moved from laments about few Asian trade institutions to widespread criticisms of excessive institutional fora in the region all around – a point of view that could be equally well applied to the investment case. Drawing on their earlier works, they also suggest that while the organizational structure/legal rules dimensions in the project are critical, we need to step beyond them to include also the dimensions of membership, scope, issue scope, and types of goods to better understand the design of trade arrangements in the region. By and large, while they find a trend towards greater organizational formalization (as in APEC), the most widespread trend is one towards harder rules within informal organization structures (as in the proliferating bilateral FTAs).

Randy Henning and Saori Katada focus in on currency, finding that the choice of informality and the absence of rules are defining features of East Asian monetary

relations. Moreover, they assert this very informality – cooperation without institutions – is critical to the effectiveness of structuring relations among the dominant players in the game. This angle raises more general concerns about the relevance of institutions altogether, alerting us once again that they might be relevant under very strict conditions. It also alerts us to the important theme of the effectiveness of institutions that can have a substantial feedback impact on the design of and change in the institutions. Both these general themes are considered the concluding chapter.

Saadia Pekkanen and Kellee Tsai find that while Asian states are capable of fashioning hard-rule institutions for governing some types of investments, they have thus far preferred to govern *sovereign* investments – which are essentially another form of cross-border investment no matter what the fuss about the source – principally through a soft-rules institution. Concentrating on understanding the design of global Sovereign Wealth Fund (SWF) governance in particular, they find that the principal organizational design remains largely informal. Although as in trade calls have emerged for further formalization of the organizational structures for sovereign investments worldwide, this informal structure is likely to stay in place in the foreseeable future.

Design of Traditional and Non-Traditional Security Institutions

In the security field, looking specifically at the WMD, space, and energy cases, the design of external institutions raises perplexing issues about their importance altogether.

David Kang uses the pressing North Korean problem to focus in on the broader concerns with regimes governing WMD. Finding that Asia does not suffer from a lack of

regional multilateral institutions to limit the spread or use of nuclear weapons, he characterizes the majority of them generally as soft and informal, a design that echoes also those found at the global level. The relatively stable strategic environment, and low probability of WMD proliferators in part of the region means also, in his opinion, that there is no particular need to strengthen their design anytime soon. In the most interesting twist, he is not convinced that the stronger design would help solve the critical information problem, raising issues with whether external institutions actually solve informational problems or can only become strong once those informational problems are solved some other way.

Clay Moltz examines the expanding civil and military space capabilities in Asia, finding the region pivotal in the field of space activity in the near and long term future. Of the two principal institutional bodies in the region, one led by China and the other by Japan, both are united in terms of their emphasis on the softer side of things, but differ in terms of the degree of their organizational structure. Rather than leading to regional stability in either case, that may yet transpire if the designs are linked to global space or even each other, the fact is that their very presence appears to be fostering and reinforcing an atmosphere of competition rather than cooperation.

Finally, Purnendra Jain and Takamichi Mito find similar softer design patterns both in terms of rules and organizational structures in the case of energy. Like the space case, the prospects for strengthening institutions are marked by significant competition and rivalry. More importantly, they question whether these softer institutions, possibly subsumed under regional ones (such as ASEAN, the East Asian Summit, and the ARF) would not be more effective and enduring given the high level of strategic rivalry that

characterizes this field. The EU-style of harder institutionalization, they note in concluding, may well have lost traction even more in Asia given the turmoil in Europe at present.

Design of Transnational Human Security Institutions

Finally, in the transnational human security field covering the human rights, health, and environment cases, Asia certainly appears to be moving towards ever more institutional governance.

Keisuke Iida and Ming Wan note that while human rights institutions in Asia still remain decidedly characterized by soft rules and informal structures, they are no longer considered a joke. Although Asia lacks an all-encompassing regional human rights institution, the emergence of even the new soft-rule institutions shows a significant regional interest in dealing with pressing human rights issues such as human trafficking. The authors also raise the compelling issue that even a soft-rule institution can sometimes have teeth in ensuring compliance; and that a formal organizational structure, such as with an actual constitution and permanent secretariat, can be beguiling if the work is carried out in a relatively free-wheeling and flexible manner. Perhaps more importantly, such organizational design features make them quite effective in difficult situations.

In the health case, Kerstin Lukner also finds that regional institutions designed to combat infectious diseases in Asia can best be described as soft and informal. Even though formal health-related institutions at the global level already exist, the additional involvement of robust regional institutions, whether in Asia or elsewhere, can be pivotal in an actual infectious outbreak. Since the pathogen-induced health risks are real – such

as SARS, avian influenza strain H5N1, and swine flu type H1N1 – and the likelihood of their occurrence is high, there has been what she too, quoting others, describes as the creeping institutionalization of health-related issues in the Asian region. But this process has evolved from and is subordinate to existing formal organizations, such as ASEAN and APEC. Interestingly, this raises issues of nested designs as it is a wide range of weak subordinate bodies, manifestly lacking any kind of a formal organizational component, that actually do carry out most of the work on health-related issues. Their very softness and informality potentially makes them an on-the-ground asset for pandemic preparedness and responses.

Finally, Kim Reimann uncovers the softer institutional makeup in the environment field in Asia, showing how it is currently restricted to technical cooperation such as information exchange, joint research, standards development, and environment monitoring. However these forms of institutional arrangements are significantly more widespread than previously thought. Moreover, while their mechanics clearly mark them as soft and informal, they are leading to policy networks, comprising government officials, scientists, and NGOs, that are pivotal to collaboration on policy and conservation projects at a practical level.

Explaining the Patterns of Institutional Types

The typology undergirding ASIABASE-1 serves to structure the book as a whole, and particularly the varied individual chapters that follow. But we cannot just take the spread, or retreat, of different types of institutional processes for granted, either as a normative or practical matter. In the real world, in field after field, institutional

arrangements are deeply contested, ideologically charged, and uneven in terms of their design when they exist at all. How do we take account of the struggles to shape them?

Using standard IR approaches, we provide some common explanations that help to structure the political and social narratives about institutional types in the individual cases. We focus on sets of actors, with their motivations and particularities, in state-centered, socialization, and domestic political frameworks. Although we do not propose any one set of overarching unidirectional hypotheses, we set out some “umbrella” hypotheses with plausible descriptive and causal mechanisms to link any agents of designs with particular institutional type outcomes. At this stage it helps to visualize the explanatory framework as in Figure 1.4, making clear the focus and connections in the analytics at hand.

[FIGURE 1.4 ABOUT HERE]

State-Centered Frameworks

The state is alive and thriving in the IR of Asia, and is not likely to go away anytime soon.⁵¹ We do not propose to settle any long-standing controversies about the relevance or importance of states, whether in Asia or beyond, but merely to derive plausible ways to assess their role in designing institutions. There are two plausible avenues to follow: power-related concerns and capacity-related constraints, both of which hew closer to reality in terms of why developing, as well as developed, country state actors shape external institutional designs the way they do.

If distributional conflicts rather than market failures may be central to the functioning of international institutions, then the relative power of states may be key to

⁵¹ Pekkanen, Ravenhill, and Foot [*Oxford Handbook of the IR of Asia*, forthcoming].

their behavior.⁵² From this perspective, of course the entire project may be misplaced because considerations of relative state power cannot be reduced simply to the search for the right design of institutional structures. This critique may be especially relevant to the case of institutional design involving dominant Asian countries in which there is a strong lineage of debates about state-centered explanations.⁵³ Moreover, despite the enthusiasm attached to the increased importance of non-state actors and transnational modes of institutionalization, at the end of the day the domestic/state actor preferences of powerful countries – say, a China or Japan – at critical junctures in the global and especially regional context may well be pivotal.⁵⁴ This is primarily because the continuing fact of anarchy makes the international system inhospitable to institutional solutions altogether – let alone considerations of designing institutions which could turn out to be counterproductive or outright failures – and tends to encourage an academic and policy focus on the power and interests of actors.⁵⁵ Setting aside the controversies about measurement or influence over outcomes, the basic premise in line with our analytical focus would be about stressing, retaining, and even enhancing sovereign power through contestation over institutional designs. Specifically, if Asian states are concerned about their relative standing and/or capability for autonomous actions – i.e. some set of power-related concerns, stemming from, say, sovereignty, nationalism, rivalry, historical animosity, relative gains, distributional problems,⁵⁶ control etc. – we would expect to see this reflected in weaker institutional designs.

⁵² Krasner 1991; also Koremenos and Snidal 2003, esp. 437.

⁵³ Johnson 1982; Haggard 1990; and Woo-Cummings 1999.

⁵⁴ Higgott 2006, 629; and see Keohane, Moravcsik, and Slaughter 2000 on the general idea of interstate and transnational politics.

⁵⁵ Wendt 2001, 1019.

⁵⁶ See, as background, Koremenos, Lipson, and Snidal, eds. 2001, 773-797, esp. Table 1; and for some of the key criticisms see Wendt 2001; and Duffield 2003. Of particular interest in deriving some set of

Another plausible avenue concerns state capacity. As a concept it has also had a long history in explaining outcomes especially in domestic and comparative politics, with a focus on the extractive, coercive, and administrative capabilities of states.⁵⁷ Although this expansive concept has garnered much criticism because of measurement concerns and tautological claims, it nevertheless continues to infuse our understanding of strong and weak states more generally, as well as studies focused on state behavior and state building more specifically.⁵⁸

As a practical matter, capacity constraints need to be brought in more cohesively in assessing outcomes of broader interest in IR. Of course, viewed from the realist prism state attributes more generally (whether viewed from the narrow structural or more contextualized classical realist versions) have always been central to our understanding of international political outcomes.⁵⁹ States may be similar in the tasks and functions they perform, to be specific, in the realist world; but their capacities to perform them differ.⁶⁰

“power-related concerns” is the rational institutional design project that has succinct hypothetical relationships (as explicated in the hypotheses and expectations laid out in their Table 1). Briefly, these are expressed as very sparse bivariate expectations (“main effects” in the authors’ words) about the relationship between the elements of institutional design and a set of independent variables. These latter include, distribution problems such as those concerning the spoils/gains that affect domestic and international standing; enforcement problems such as those concerning the problem of free-riding and cheating in the provision of public goods; number of and asymmetrical relations between agents such as the relative size/power of the key actors involved; and uncertainty about behavior referring both to uncertainty about the state of the world and uncertainty about preferences. While all of these can be tailored to affect state power-related concerns, the distributional concerns seem most relevant and are the only ones we focus on explicitly. While there may be various criticisms of the design-centric approach in the tradition of rational institutionalism, this work has explicit social science aspirations, admirable clarity, and clear analytical objectives. It is also useful to keep in mind that even the originators of the rational institutional design project recognize that the approach explains much but not everything even about static institutions.

⁵⁷ Hanson and Sigman 2013, and especially their thorough attempts at measuring state capacity across the three basic dimensions in Table 1 (Indicators of Space Capacity).

⁵⁸ See some central themes on these fronts in Skocpol 1985; Tilly 1985; Bates 2008; and Kocher 2010.

⁵⁹ Mastanduno, Lake, and Ikenberry 1989, 459-461.

⁶⁰ Holsti 1995, esp. 319.

Succinctly put, state “behavior is influenced not only by what states want, but also by their *capacity* to realize these desires.”⁶¹

Using these general ideas, we can deploy the concept of state capacity selectively to explain also variations in the design of external institutions. State capacity to extract resources, for example, emerges as a key element in understanding a range of issues, such as internal conflicts, foreign military expenditures, and, especially of note to our research mandate, contributions to international organizations.⁶² State administrative capacity (itself dependent on revenue extraction and coercive capacity) is also central to developing domestic and foreign policy, requiring, among other things, technical competence, professional and trustworthy state actors, and the wherewithal to reach across social groupings.⁶³ From this line of thinking, the umbrella hypothesis is that if Asian states are hampered in their internal capacities to structure and shape external institutional designs – i.e. some set of capacity-related constraints, stemming from a lack of, say, human, financial, and technical resources – we would expect to see this reflected in weaker institutional designs.

International, Regional, and Extra-Regional Socialization Frameworks

Much of the socialization literature takes the presence of international institutions for granted – most particularly as in Europe or at the global level – and proceeds to analyze their socializing effects on actors.⁶⁴ At the broadest level socialization means the induction of agents in the norms and rules – *and, by extension, for the purposes of this*

⁶¹ Mearsheimer 2003 [KL802, emphasis ours].

⁶² Besley and Persson 2007; and Mastanduno, Lake, and Ikenberry 1989, esp. 463.

⁶³ Hanson and Sigman 2013, esp. 8-9. This concept also resonates with Johnson’s (1982) highly influential developmental state model, which has its origins in the political economy study of Japan’s state institutions.

⁶⁴ See, for example, Checkel ed. 2005[2007]; Johnston 2008.

project, the design – of institutional arrangements in specific fields.⁶⁵ The succinct premise is that agents who emerge from a social interaction, as in European institutions, rarely remain the same.⁶⁶

As stated at the outset, no one would dispute that Asian agents, state and non-state, have been socialized into the Western-centric/founded formal and informal institutions that govern the wide swathes of economic, security, and transnational human security activities around the world; or that they have emerged from long socialization in international and extra-regional institutions of interest to them. Yet, as also noted, what is troubling is the lingering idea that such socialization has not made much of a dent in their subsequent institutional design efforts. Of course, to the extent that an institution on point actually even exists, there is the problem that socialization itself is hardly benign. Over time, the manner in which agents are socialized elsewhere – that is, at an environmental level, exposed to, contested over, struggled with, benefited from, suffered under specific elements of institutional designs elsewhere – surely affects the design of similar institutions at a normative level which they may be subsequently involved in shaping. In emphasizing positive and negative aspects, the point is that the long road of socialization has both light and dark aspects, and that this needs to be taken specifically into account with the broader social and historical contexts involving Asian states in global and regional politics where they have long been institution-takers.⁶⁷

There is no obvious wholesale theory or clear hypotheses linking socialization mechanisms/micro-processes (for example, identified by key authors as strategic role playing, role playing, normative suasion, persuasion, social influence) to institutional

⁶⁵ Checkel 2005, 804.

⁶⁶ Johnston 2001, 488.

⁶⁷ I am grateful to Jeff Checkel for conversations that helped clarify these points for me.

design, whether for states or non-state actors. At a basic level, we can surmise that socialization alerts all social agents that the underlying design affects the results they seek to bring about and/or influence in a given policy area. Thus in the deeply political act of institution-creation the dimensions of designs matter both from a pragmatic and normative perspective for agents of all stripes.⁶⁸

The umbrella hypothesis here is derived from the idea that the types of legal and organizational structures in which states have been immersed is likely to have some follow-on impact on the way they construct the design of institutions under their control. Specifically, the softer the external institutional design within an area in which Asian states (as well as other non-state actors) have been socialized, the more likely it is that they will also construct, if or when they do so, weaker institutions. The reverse is also true with respect to socialization in stronger institutional designs, in which case we should expect to see the construction of harder institutional designs.

Domestic Politics Frameworks

Domestic politics is not related in any kind of straightforward way with the construction of external institutional designs. The biggest problem is that it is difficult to do justice to the full and bewildering range of complexity inherent in domestic/transnational politics in terms of actors, their stances, and their interactions irrespective of which way the causal arrow happens to be pointed.⁶⁹

⁶⁸ Wendt 2001, esp. 1020-1022.

⁶⁹ Milner and Keohane 1996a.

Two path-breaking studies,⁷⁰ coming from different theoretical paradigms, are united with respect to the analytics of domestic politics: they are important, and unless they are disaggregated a priori they will remain subject to charges of “ad holism” in studies of international institutions.⁷¹ They both suggest some ways in which we can begin prioritizing domestic/transnational politics in terms of its many possible properties.⁷² At the static and stylized level, these include: (a) properties of actors (their interests, position, concentration, preferences, beliefs, ideologies, identities, etc.);⁷³ (b) properties of the national hard structures in which they function (regime type; electoral systems, principal-agent relations etc.);⁷⁴ and (c) properties of the national soft structures in which they operate (cultural, normative, and ideological frames, etc.).⁷⁵

To keep things manageable, we derive an explanation with two key elements – interests and identities – drawing respectively on the rationalist and constructivist wings of IR. The emphasis on material interests for example is standard in most rationalist

⁷⁰ As these two studies suggest, it is easy to talk of the importance of domestic politics, but in most instances it ends up becoming the unwieldy source for many variations in the study of international institutions. The rational institutional design project scrupulously emphasized the importance of domestic politics although it was not explicitly included or excluded in the overarching framework (Koremenos, Lipson, and Snidal 2001b, esp. 1054, 1065, esp. 1069-1075). While it was also sympathetic to encompassing normative approaches with rationalist ones, and for tracing the sources of domestic preferences and changes, it did not offer any one clear way to begin thinking about relationships between “it” and specific element of institutional design anything. No doubt, despite the efforts at simplification (e.g. derived state preferences, information model of domestic politics, omission of domestic analyses of firm lobbying etc.), the reality is that this might well nigh be impossible given the actual range of domestic actors and their convoluted interactions. The same is also true of the socialization project in the study of international institutions, which dealt with a non-finding (not as much as expected socialization) even in the European context, and ended up attributing variations also to the national level (Zürn and Checkel 2005, 1047, 1055, esp. 1068-1072). In all, lamentably, domestic politics was under-theorized.

⁷¹ Zürn and Checkel 2005, 1070.

⁷² The properties draw generally on three elements (ie characteristics of political context, characteristics of institution, type of dominant change-agent) in the combinational framework for institutional change in Mahoney and Thelen 2010, esp. 15, Figure I.I.

⁷³ E.g. Rogowski 1989; [Risse-Kappen, ed. 1995]; Moravcsik 1997, 1999; Irwin 1997; and Hiscox 2001.

⁷⁴ Martin 2000.

⁷⁵ See Wendt 1999, 139-190, on material conditions, interests, and ideas as the elements of any social system.

approaches in studying the actions and interactions of social agents.⁷⁶ The emphasis on identity is based on the latest conceptual reformulation on the constructivist side that calls attention to the contents of and contestation over this concept in reality.⁷⁷

Assuming there are purposive non-state social actors who seek to influence state actors in a given issue, we can surmise that their preferences on institutional design will be formed by some combination of *interests* (based on the degree of their concentration, lobbying, standing influence etc.) and *identity* (based on some specific content attribute that reflects their ideational views). The umbrella hypothesis here is that if a particular external institutional design comports with actors' standing interests and/or their identity in an issue, they are more likely to pursue that particular design when attempting to forge their own.

The Rest of the Book

While highly stylized, this overall explanatory framework is loose enough to cover the diversity of the cases under study in the book but also coherent enough to allow us to derive patterns across them. It is realistic to begin with the understanding that not all umbrella hypotheses set out in the overall explanatory framework will be relevant to each case under consideration, or to the realities of the Asian countries the authors deem most relevant to their case analysis. The authors combine, stagger, or sequence the explanations, as they deem relevant, and also alert us to any other potential causes that

⁷⁶ Moravcsik 1997; Koremenos, Lipson, and Snidal, eds. 2001[2004]; Martin 2006; and for overviews Frieden and Martin 2003; and Ravenhill 2008, esp. 547-551.

⁷⁷ Abdelal, Herrera, Johnston, and McDermott 2006; and Abdelal, Herrera, Johnston, McDermott, eds. 2009.

may be on point and can shed light on the larger processes and patterns of interest in the book.

The nine chapters that follow embed the analytical narrative of this book – that is, the institutional type(s) out there and the agents that design them in their historical context – in specific cases that are representative of the wider economic, politics, and social fields in contemporary Asia. This approach ensures that the case-based analyses are fine-grained, empirically pliable, and in tune with social realities. We now turn to the specific stories in each of the following cases: trade, currency, investment, WMD, space, energy, human rights, health, and environment. With them, we will come back in the concluding chapter to reflect more generally on the commonalities and differences in the design, relevance, effectiveness, and importance of external institutions in Asia; on issues of change among institutional types; and also on what we can expect from risen Asia in terms of influencing regional and global governance.

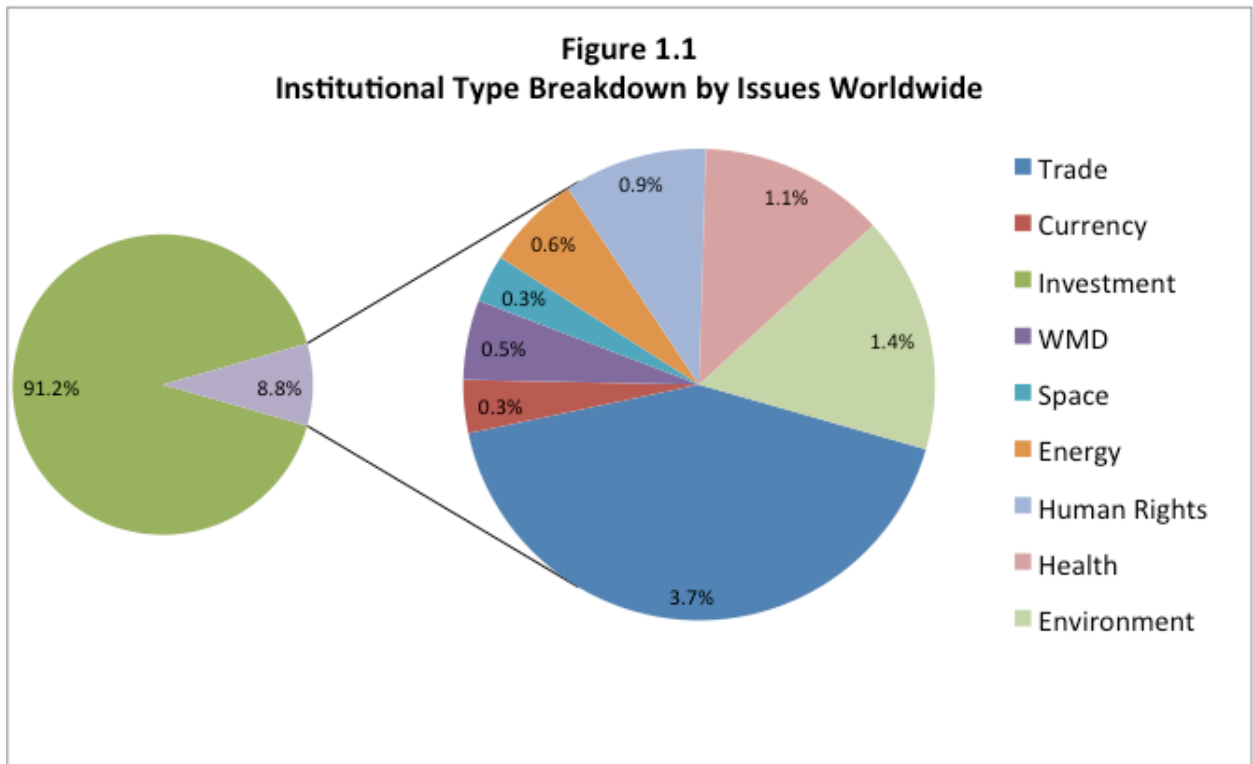
Table 1.1
Typology of External Institutional Designs by Basic Dimensions

		Underlying Legal Rules (extent of precision, obligation, delegation) ¹	
		Hard	Soft
Underlying Organizational Structure (extent of centralization, control, flexibility) ²	Formal	Strong institutions characterized by hard rules with high degrees of precision, obligation, and delegation; and with formal structures such as secretariats characterized by high levels of centralization and control, and little flexibility (TYPE I - HRFS)	Semi-weak institutions characterized by soft rules with medium degrees of precision, obligation, and delegation but with formal structures such as secretariats/standing bodies characterized by medium levels of centralization and control, and much flexibility (TYPE III – SRFS)
	Informal	Semi-strong institutions characterized by hard rules with high degrees of precision, obligation, and delegation; but with informal structures that provide for little flexibility despite low levels of centralization and control (TYPE II – HRIS)	Weak institutions characterized by soft rules with little to no precision, obligation, and delegation; and with informal structures characterized by low levels of centralization and control, and great flexibility (TYPE IV - SRIS)

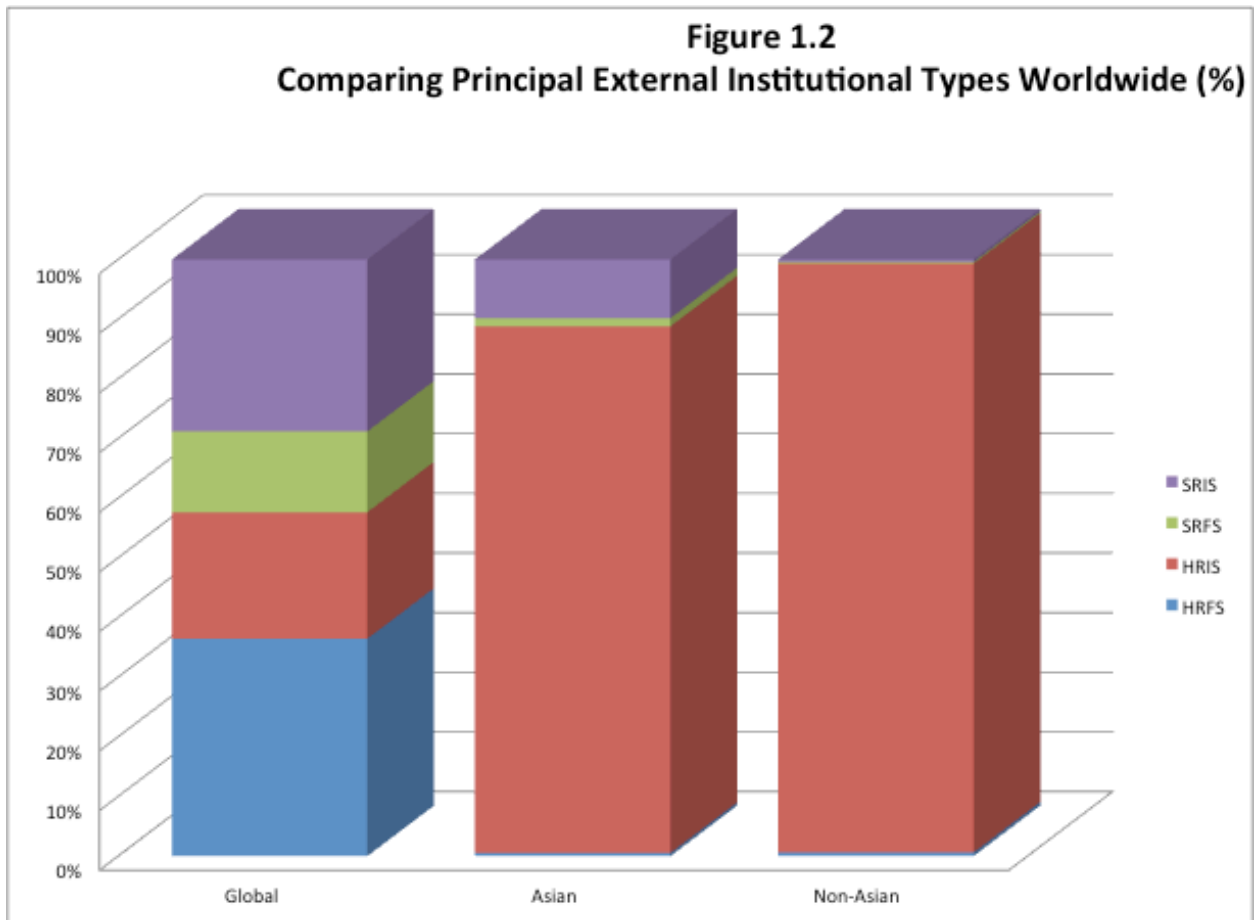
Note: The following are ideal-type operational guidelines for the authors.

¹The emphasis is on some combination of the following measures of the underlying legal rules which, if hard, exhibit (1) high levels of *precision* circumscribing the scope, mission, objectives etc.; (2) high levels of *obligation* detailing the expectations for Members to adhere to the scope, mission, objectives, etc.; and (3) high levels of *delegation* to third parties in the form of dispute settlement provisions when the scope, mission, objectives etc. are violated by the Members.

²The emphasis is on some combination of the following measures of the underlying organizational structure which, if formal, exhibit (1) high *centralization*, which refers to the presence of a secretariat [ie with an actual budget, personnel/staff that are not merely seconded from members, standing headquarters etc.], and with independent information gathering abilities, focalized bargaining facilitation, monitoring capacity, enforcement powers etc. all of which allow the organization to have an existence separate from its Members (ie. legally with its on “privileges and immunities”); (2) high *control* which refers to the procedures whereby collective decisions are made by the organization itself and not just in an ad hoc manner by the Members, including decision-making procedures, voting rules (weighted voting, equal votes, veto power), decision rules (simple majority, super majority, unanimity), etc.; and (5) low *flexibility*, which refers to the language and procedures limiting/prohibiting the use of ad hoc measures such as political blockings, escape clauses, withdrawal provisions, avoidance of enforcement etc.

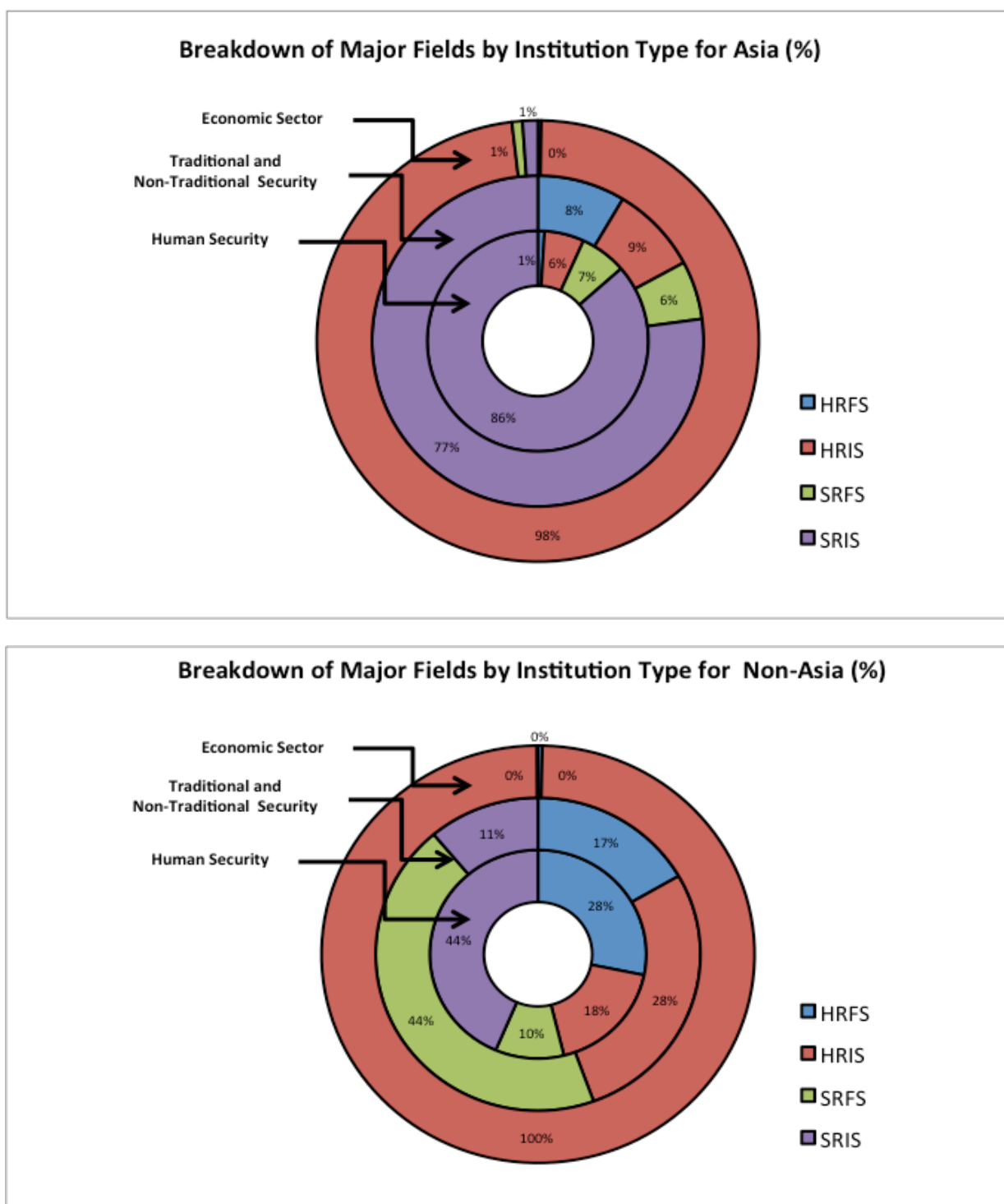


Source: See ASIABASE-1 (Appendix I, this volume).

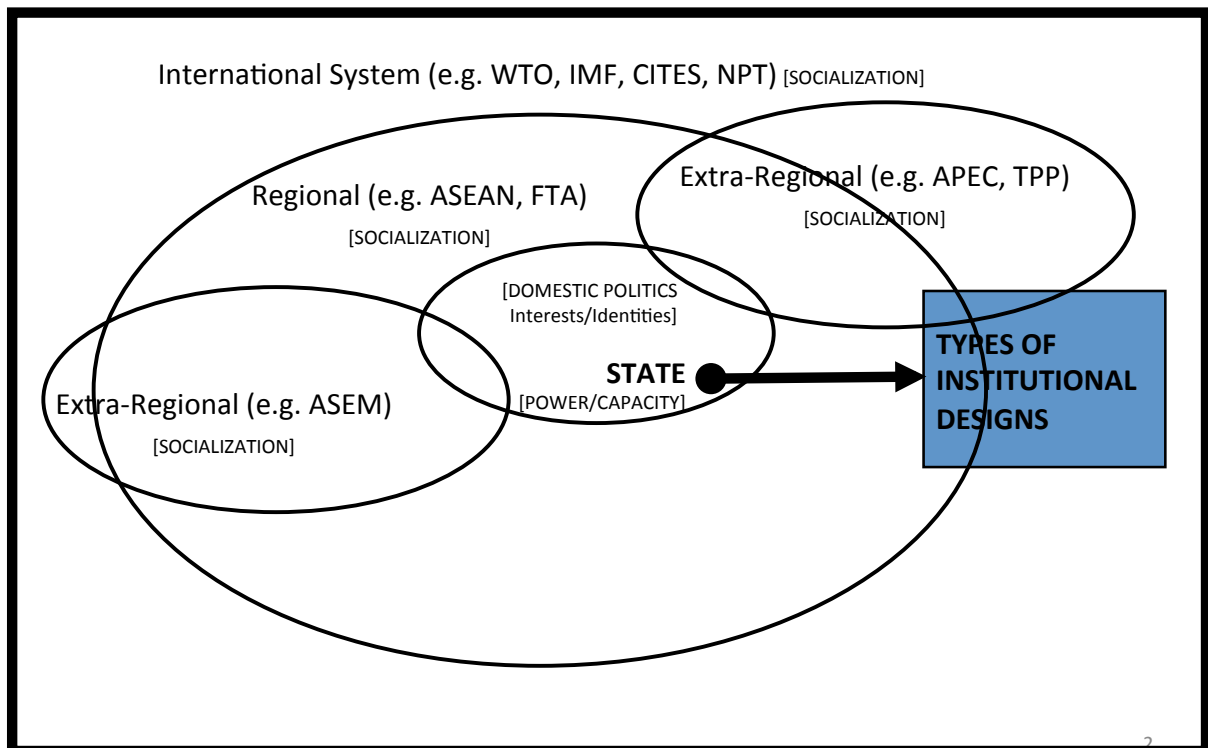


Source: See ASIABASE-1 (Appendix I, this volume). The institutional design typology is as follows: Type I (Hard-Rules Formal-Structures, HRFS); Type II (Hard-Rules-Informal-Structures); Type III (Soft-Rules-Formal-Structures, SRFS); Type IV (Soft-Rules-Informal-Structures, SRIS). Note reservations set out in ASIABASE-1.

Figure 1.3



Source: See ASIABASE-1 (Appendix I, this volume). The institutional design typology is as follows: Type I (Hard-Rules Formal-Structures, HRFS); Type II (Hard-Rules-Informal-Structures); Type III (Soft-Rules-Formal-Structures, SRFS); Type IV (Soft-Rules-Informal-Structures, SRIS). Note reservations set out in ASIABASE-1.

Figure 1.4**Visualizing the Explanatory Framework**

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