



Civil Society and Southeast Asia's Authoritarian Turn

Policy Briefing – SEARBO2



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Introduction

Southeast Asia comprises 11 diverse countries of varying sizes, levels of economic development, and regime types. Despite decades of democracy promotion by international organisations and donors, illiberalism and autocracy still largely prevail across the region. The return to military dictatorship in Myanmar, Rodrigo Duterte's bloody drug war in the Philippines, identity politics in Indonesia and frequent military coups in Thailand present fresh challenges for international actors seeking to support civil society and promote human rights. Ethno-nationalism, religious persecution and the emerging appeal of "strongman" rule are sustaining illiberal headwinds across the region and reinforcing a shift toward authoritarian statism.¹

According to Freedom House's "Freedom in the World 2020" report: "Political rights and civil liberties declined overall in Asia, as authoritarian rulers showed their disdain for democratic values through practices ranging from fabricated criminal cases against opposition leaders to mass persecution of religious and ethnic minorities." In 2021, Freedom House ranked four Southeast Asian countries partly free (Indonesia, Malaysia, the Philippines, and Singapore) and six countries not free (Brunei, Cambodia, Laos, Myanmar, Thailand, and Vietnam).² Only one country, Timor-Leste, was free.

The Covid-19 pandemic has exacerbated both inequality and state repression across Southeast Asia. In Myanmar, the Philippines and Indonesia, which have comparatively poor health infrastructure, the pandemic has revealed limited state resources and governments' inability to provide for the needs of their citizens. Some state leaders, such as Rodrigo Duterte in the Philippines, sought expanded emergency powers and rolled back democratic freedoms.³ The Philippines, Myanmar and Indonesia also failed to mount effective responses to the virus, which wreaked havoc on vulnerable populations and dramatically slowed economic growth.

In Thailand, the relative efficacy of health systems and government capacity helped contain the pandemic's spread and alleviate community transmission early in 2020.

¹ See Kanishka Jayasuriya, 'Authoritarian Statism and the New Right in Asia's Conservative Democracies', *Journal of Contemporary Asia* 48:4 (2018): 584-604.

² Freedom House. 'Countries and Territories.' Accessed 6 May, 2021. Available at: <https://freedomhouse.org/countries/freedom-world/scores>. Freedom House aggregates data on individuals' access to political rights and civil liberties in compiling their ranking scores.

³ Nicole Curato, 'Democratic expressions amidst fragile institutions: Possibilities for reform in Duterte's Philippines', *Brookings Institution*, 22 Jan., 2020. Available at: <https://www.brookings.edu/articles/democratic-expressions-amidst-fragile-institutions-possibilities-for-reform-in-dutertes-philippines/>.

More recently, however, the country's health infrastructure has reached critical capacity, and the Royal Thai Army has set up additional field hospitals to take on a surge in cases.⁴ At the same time, the regime's response to popular protests has triggered broad resistance from youth activists and civil society.

Timor-Leste, which has the lowest GDP per capita in Southeast Asia,⁵ managed to contain the virus fairly effectively throughout 2020 despite weak public health infrastructure and comparatively less government capacity. It did so by swiftly closing the border to Indonesia, putting in place a successful public messaging campaign, and even offering support to overseas citizens such as migrant workers to remain abroad until easing travel restrictions.⁶ However, the challenge of preventing community transmission entirely proved too great, and in February, the first cases of COVID-19 outside of quarantine were detected in the border regions of Covalima. Since then, 983 cases have been detected, and the nation reported its first COVID-19 related death on 6 April.⁷

Despite the pandemic, elections went ahead in several Southeast Asian states, including Singapore, Myanmar and Indonesia, while Malaysia held elections in eastern Sabah State. Multiparty elections notwithstanding, Freedom House downgraded Myanmar in 2020 from partly free to not free "due to worsening conflicts between the military and ethnic minority rebel groups that reduced freedom of movement in the country."⁸ Yet, rather than pave the way for a progressive younger generation

⁴ 'Strained Thai hospitals suspend testing amid new COVID-19 outbreak', Reuters, 9 April, 2021. Available at: <https://www.reuters.com/business/healthcare-pharmaceuticals/dozen-bangkok-hospitals-suspend-covid-19-testing-amid-shortages-2021-04-09/>. See also Ann Carter, 'Thai army sets up 2 more field hospitals to help with Covid influx', *Thaiger*, 16 April, 2021. Available at: <https://thethaiger.com/coronavirus/thai-army-sets-up-2-more-field-hospitals-to-help-with-covid-influx>.

⁵ Timor-Leste's GDP per capita was \$1,294 in 2019, compared to Myanmar's \$1,408 or the Philippines' \$3,485 for instance. See World Bank, 'GDP per capita (current US\$) – Timor-Leste, Philippines, Myanmar, Singapore', accessed 6 Nov. 2020. Available at: <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2019&locations=TL-PH-MM-SG&start=2012>.

⁶ Pauline Tweedie and Carmen Soares, 'And Now, a Bright Spot: Timor-Leste Weathers a Pandemic', *The Asia Foundation*, 14 Oct., 2020. Available at: <https://asiafoundation.org/2020/10/14/and-now-a-bright-spot-timor-leste-weather-a-pandemic/>. See also Susanna Barnes et al., 'How Timor-Leste Has Mobilised Against COVID-19', *Pursuit*, University of Melbourne, 23 July, 2020. Available at: <https://pursuit.unimelb.edu.au/articles/how-timor-leste-has-mobilised-against-covid-19>.

⁷ See Méabh Cryan, 'Cyclone Seroja in Timor-Leste: A Complex Crisis', *Australian Outlook*, Australian Institute of International Affairs, 15 April, 2021. Available at: <https://www.internationalaffairs.org.au/australianoutlook/cyclone-seroja-in-timor-leste-a-complex-crisis/>.

⁸ Freedom House, 'Freedom in the World 2020: A Leaderless Struggle for Democracy', Available at: https://freedomhouse.org/sites/default/files/2020-02/FIW_2020_REPORT_

in Southeast Asia to take the reins, electoral institutions have demonstrated the pervasiveness of illiberalism and durability of authoritarianism across the region.⁹



In Jakarta in 2017, Ambassadors, representatives of ASEAN bodies, private sector, civil society, youth and media attend the ASEAN HeForShe campaign launch event. (CC BY-NC-ND 2.0)

This paper distinguishes between illiberalism and authoritarianism in order to provide greater conceptual clarity to policymakers seeking to work in illiberal countries in Southeast Asia.¹⁰ For the purposes of this paper, illiberalism consists of a rejection of certain liberal values based on ethnic or religious diversity, open borders, and the

BOOKLET_Final.pdf. According to Freedom House, the report analyses political rights and civil liberties and “assesses the real-world rights and freedoms enjoyed by individuals, rather than governments or government performance per se.” The methodology is derived from the Universal Declaration of Human Rights.

⁹ Several scholars of Southeast Asian governance have described the trend of “durable authoritarianism,” but this report draws from Thomas Pepinsky. See Pepinsky, ‘Democracy Isn’t Receding in Southeast Asia, Authoritarianism is Enduring,’ East Asia Forum, 4 Nov., 2017. Available at: <http://www.eastasiaforum.org/2017/11/04/democracy-isnt-receding-insoutheast-asia-authoritarianism-is-enduring/>. See also Juliet Pietsch, ‘Authoritarian Durability: Public Opinion towards Democracy in Southeast Asia,’ *Journal of Elections Public Opinion and Parties* 25:1 (2014): 1-16.

¹⁰ This paper builds on a previous SEARBO conference: ‘Entrenched Illiberalism in Mainland Southeast Asia,’ Australian Centre on China in the World, Australian National University, 8-9 April, 2019, <http://bellschool.anu.edu.au/news-events/events/6687/conference-entrenched-illiberalism-mainland-southeast-asia>.

free flow of goods, peoples and ideas. Instead, illiberalism often promotes traditional values of family, religion, and ethnic homogeneity, as well as firm respect for institutions of authority and a degree of intolerance for open dissent by media and civil society groups.¹¹

Authoritarianism, on the other hand, implies one-party rule (sometimes in the form of a military junta), zero tolerance for civil society and independent media, and the top-down enforcement of political institutions linked to a cult of personality around the leader or the armed forces. Those authoritarian systems that have endured despite democratising pressures from civil society and international organisations have done so by adapting their ruling tactics to the modern era.¹² Recent scholarship has called attention to “authoritarian innovations” on the part of ruling elites and strongmen to manipulate elections, control the internet, suppress independent media, co-opt dissent, and intimidate critics.¹³

In order to support democracy and human rights in Southeast Asia, international development practitioners and foreign affairs policymakers need new strategies with which to engage regional civil society actors while responding to the increasingly sophisticated tactics of regional autocrats, and adjust to the uneasy coexistence of democracy and illiberalism in Southeast Asia. This report serves as an introduction for a series of papers that critically compares and assesses local and global civil society strategies and approaches to protecting human rights. The series examines comparative perspectives across three case studies: Myanmar, the Philippines, Thailand, and Timor-Leste.¹⁴ The series recognises that international and domestic scrutiny, advocacy, and monitoring of the human rights performance of states occurs through myriad fora, bilateral as well as global. It seeks to build on existing understandings of the variety of roles that civil society actors play in the human rights space, and it aims to address the dearth of analysis concerning the efficacy of these strategies and subsequent interventions by transnational actors.

¹¹ See Jasper T. Kauth and Desmond King, ‘Illiberalism’, *European Journal of Sociology* 61:3 (2020): 365-405.

¹² Lee Morgenbesser, *The Rise of Sophisticated Authoritarianism in Southeast Asia*, Cambridge, UK: Cambridge University Press, 2020.

¹³ See Nicole Curato and Diego Fossati, ‘Authoritarian Innovations: Crafting support for a less democratic Southeast Asia’, *Democratization* 27:6 (2020): 1006-1020. Also see Thomas Pepinsky, ‘Authoritarian Innovations: Theoretical Foundations and Practical Implications’, *Democratization* 27:6 (2020): 1092-1101.

¹⁴ The goal of the project is to refine the agenda for Australia to promote and support democratic institutions within Southeast Asian states. When appropriate, the series also examines Sri Lanka and Thailand as comparative case studies.

Building on other scholars' work on competitive authoritarianism¹⁵ and hybrid regimes,¹⁶ this paper rejects a binary distinction between democracy and authoritarianism and will demonstrate that elements of illiberalism and authoritarianism often exist within democracies. Democracy and authoritarianism should be envisioned as lying at opposite ends of a single spectrum. In order to demonstrate the elasticity of democracy and authoritarianism and their fluidity along this spectrum, the paper will examine the rise of illiberal democracy and other hybrid regimes in Southeast Asia. The term illiberal democracy refers specifically to countries that may have a precedent for electoral democracy, such as Indonesia, Malaysia, the Philippines, and Singapore, but do not espouse liberal values such as human rights, individualism, civil society, labour rights, and robust checks and balances.¹⁷ Illiberal democracies generally fall between liberal democratic states, on one end, and authoritarian states on the other end.



Women attend a training workshop in West Lombok, Indonesia. Photo by Josh Estey. Department of Foreign Affairs and Trade on Flickr

Based on the examples considered, the paper contends that rather than democratic regression, Southeast Asia showcases the durability of deeply entrenched

15 Steven Levitsky and Lucan Way, 'The New Competitive Authoritarianism', *Journal of Democracy* 31:1 (2020): 51-65

16 For example, see Steven Levitsky and Lucan Way, 'Elections Without Democracy: The Rise of Competitive Authoritarianism,' *Journal of Democracy* 13:2 (2002): 51-65; also Levitsky and Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (New York: Cambridge University Press, 2010), 20.

17 For more on illiberal democracy, see Fareed Zakaria, 'The Rise of Illiberal Democracy', *Foreign Affairs* 76: 6 (1997): 22-43.

authoritarianism. It will explain how autocrats have used "authoritarian innovations" within both democracies and autocracies to corrode institutions and norms and move their society in increasingly illiberal directions. It will then demonstrate that there is a need to refute any simple correlation between democracy and good governance, or between authoritarianism and weak governance. Just as we can no longer equate democracy with good governance (i.e., government accountability, low corruption, and the effective delivery of public goods)¹⁸, we cannot draw a straight line between authoritarianism and weak governance. Therefore the paper proposes shifting analytical focus to government accountability as a better way to conceptualise the growing divide between defective democracies¹⁹ and increasingly sophisticated authoritarianism.

We can measure government accountability by examining a state's ability to effectively deliver public goods and respond to citizen demands, be they basic health resources to contain the Covid-19 pandemic, physical infrastructure such as roads and water sanitation, or increased transparency from state officials. Focusing on government accountability has important implications for practitioners seeking to identify civil society partners that can improve subnational governance while advocating for democracy and human rights more broadly. This paper concludes by recommending a mixed set of strategies that accounts for Southeast Asia's diversity of regime types and puts forward specific policy recommendations based on varying environments.²⁰

18 I am grateful to Nick Cheesman for encouraging me to define this term with more analytical precision.

19 For more on the concept of defective democracy, see Aurel Croissant and Wolfgang Merkel, 'Defective Democracy', in Wolfgang Merkel et al., eds., *The Handbook of Political, Social, and Economic Transformation*, Oxford Scholarship Online (2019).

20 In addition to the recommendations below in Section II, see Appendix for a detailed breakdown of such strategies.

Authoritarian Durability and the Rise of Illiberal Democracy

The past two decades in Southeast Asia have belied a neat binary division between authoritarianism and democracy. While scholarship on democracy and political change prior to the 1990s and 2000s tended to reify a conceptual divide between democracy and authoritarianism,²¹ such a sharp distinction fails to capture the political diversity of contemporary Southeast Asia. As Elina Noor of the Institute of Strategic and International Studies in Malaysia says, “The contrast between the democratic and authoritarian models, as exemplified by the US and China respectively, is a false binary in Southeast Asia. Political ideology isn’t a preoccupation in the region in the same way as it is in other parts of the world.”²² Rather, the two poles (free and open democratic societies on the one hand, and closed authoritarian systems on the other) are co-constitutive and often contain elements of one another.

The prevalence of illiberal democracies and rich scholarship on “hybrid regimes” illustrate the increasing gravitation of systems of government toward a grey area between authoritarianism and democracy. With today’s plethora of hybrid regimes — defined as forms of government “combining democratic and authoritarian elements”²³ — it has become more difficult to distinguish authoritarian and democratic regimes. Autocratic and illiberal rulers have increasingly come to power within electoral democracies.²⁴ From Turkey to Germany to France in Europe and the Middle East to Indonesia, Malaysia, the Philippines and Thailand (prior to 2014) in Southeast Asia, electoral democracies have seen populists come to power wielding

21 Philippe C. Schmitter and Terry L. Karl, ‘What Democracy Is...and Is Not’, *Journal of Democracy* 2:3 (1991): 75:88. See also Larry Diamond, ‘China and East Asian Democracy: The Coming Wave’, *Journal of Democracy* 23:1 (2012): 5-13.

22 Nile Bowie, ‘Southeast Asia eyes US democracy stress test’, *Asia Times*, 5 Nov., 2020. Available at: <https://asiatimes.com/2020/11/southeast-asia-eyes-us-democracy-stress-test/>.

23 Larry Diamond, “Elections Without Democracy: Thinking About Hybrid Regimes,” *Journal of Democracy* 13:2 (2002): 23

24 This paper distinguishes between illiberalism and authoritarianism in order to provide greater conceptual clarity to policymakers seeking to work in illiberal countries in Southeast Asia. For the purposes of this paper, illiberalism consists of a rejection of certain progressive values based on ethnic or religious diversity, open borders, and the free flow of goods, peoples and ideas. Instead, illiberalism often promotes traditional values of family, religion, and ethnic homogeneity, as well as firm respect for institutions of authority and a degree of intolerance for open dissent by media and civil society groups. Authoritarianism, on the other hand, implies one-party rule (sometimes in the form of a military junta), zero tolerance for civil society and independent media, and the top-down enforcement of political institutions linked to a cult of personality around the leader or the armed forces.



Health care centre, Philippines. Beneficiaries of the Pantawid Pamilyang Pilipino Program are required to attend health care centres, as part of participating in the program.

illiberal platforms that promise an end to corruption, stronger law enforcement, and conservative immigration policies. Such electoral disruptions have tested democratic institutions and norms but have more often than not coexisted within democracies rather than toppling them or instigating overt authoritarian rule.²⁵

In the past decade, populist leaders have eroded democratic institutions from within democratic states and gradually rolled back checks on their powers, leading to the prevalence of illiberal democracies across the region. For instance, Duterte won election in 2016 as the popular mayor of Davao City on the southern Philippine island of Mindanao. He gained prominence for his notorious “Davao death squad” and brutal tactics in his war on crime, in particular drugs. Since becoming president of the Philippines, Duterte’s war against drugs has led to the extrajudicial killing of more than 8,000 civilians, according to the UN Office of the High Commissioner for Human Rights.²⁶ Duterte’s tenure has also seen the arrest of prominent journalists and critics, even Philippine senators who spoke out against his authoritarian tactics. Yet a recent poll by Pulse Asia found that the populist leader remains overwhelmingly popular,

25 For example, see Marcus Mietzner, ‘Authoritarian innovations in Indonesia: electoral narrowing, identity politics and executive illiberalism’, *Democratization* 27:6 (2020): 1021-1036.

26 United Nations High Commissioner for Human Rights, ‘Situation of human rights in the Philippines’, 29 June, 2020. Available at: <https://www.ohchr.org/Documents/Countries/PH/Philippines-HRC44-AEV.pdf>.

with 91 percent of respondents surveyed approve of Duterte's performance *and personality*.²⁷ Even Indonesia, which many political scientists regard as a consolidated democracy,²⁸ has become increasingly populist and illiberal, even "de-consolidated," as Marcus Mietzner contends.²⁹ President Joko Widodo has appealed to conservative Islamist groups and voters to safeguard his own political power, while muzzling independent media and detaining prominent critics.³⁰

The last decade in Southeast Asia has not only witnessed democratic regression but also the persistence of authoritarianism. As Thomas Pepinsky has argued, "The real story of the state of democracy in Southeast Asia is not the threat of contemporary reversal – it is the strength of durable authoritarianism in the non-democracies."³¹ For instance, despite decades of efforts by both the international community and Cambodian civil society, the country remains decidedly undemocratic.³² Authoritarianism has persisted in the face of international criticism and development assistance aimed at steering the country towards a more liberal democratic path. After more than three decades, Hun Sen continues to rule Cambodia with near total impunity, jailing critics and banning opposition parties, with reported killings of particularly outspoken dissidents.³³ In Myanmar, the 1 February 2021 coup has brought the military back to power and displaced the rightfully elected civilian government of the National League for Democracy and various other small parties, paving the way for the return of junta rule. The Myanmar military has relied on brutal violent repression to quash protests and enforce its will, killing more than 700 as of mid-April.³⁴ All the while, it has continued to defend its actions with reference to constitutional

27 Reuters Staff, 'Philippines' Duterte scores record high rating, despite virus crisis,' Reuters, 5 Oct., 2020. Available at: <https://www.reuters.com/article/us-philippines-duterte-idUSKBN26Q0YK>.

28 Louay Abdulkaki, 'Democratisation in Indonesia: From Transition to Consolidation', *Asian Journal of Political Science* 16:2 (2008): 151-172.

29 Mietzner 2020

30 For more on Indonesia's authoritarian turn, see Marcus Mietzner, 'Authoritarian innovations in Indonesia: electoral narrowing, identity politics and executive illiberalism', *Democratization* 27:6 (2020): 1021-1036. See also David Bourchier, *Illiberal Democracy in Indonesia: The Ideology of the Family State*, London, UK: Routledge, 2015.

31 Thomas Pepinsky, 'Democracy isn't receding in Southeast Asia, authoritarianism is enduring', *East Asia Forum*, 4 Nov., 2017. Available at: <https://www.eastasiaforum.org/2017/11/04/democracy-isnt-receding-in-southeast-asia-authoritarianism-is-enduring/>.

32 See for instance Human Rights Watch, 'Cambodia: Events of 2018', *World Report* 2019. Available at: <https://www.hrw.org/world-report/2019/country-chapters/cambodia>.

33 Anne Barker, 'Kem Ley, Cambodian activist gunned down in suspected political killing, leaves powerful legacy', *ABC News*, 12 July, 2016. Available at: <https://www.abc.net.au/news/2016-07-12/cambodian-activist-kem-ley-killed-leaves-powerful-legacy/7590050>.

34 See for instance, Wynne Davis, 'More Than 700 Civilians Killed By Myanmar Junta Since Coup', *NPR*, 11 April, 2021. Available at: <https://www.npr.org/2021/04/11/986283416/more-than->

provisions, claiming that it is acting to restore democracy in the country following (unsubstantiated) claims of electoral fraud in the November 2020 election.

Autocrats in non-democratic states have relied on "authoritarian innovations" to stay in power. "Authoritarian innovations" include more elaborate ways of fixing elections, using social media to promote disinformation, or anti-corruption commissions that target political opponents.³⁵ Oftentimes, elected leaders deploy such tactics in the guise of democratic rhetoric, purporting to make their societies more, not less, open competitive democracies.³⁶ At the same time, successful autocrats have developed new models of "sophisticated authoritarianism" that can be distinguished from "retrograde authoritarianism".³⁷

As Lee Morgenbesser explains in his book, *The Rise of Sophisticated Authoritarianism in Southeast Asia*, sophisticated authoritarianism is able to "apply the known advantages of authoritarian politics as well as...mimic the fundamental attributes of democracy."³⁸ For example, Cambodia has continued to hold shambolic multiparty elections, which guarantee Hun Sen's Cambodian People's Party (CPP) a majority of votes by doling out government largesse to rural voters, imprisoning opposition candidates, and intimidating critics. In 2017 Cambodia's Supreme Court disbanded the opposition Cambodia National Rescue Party (CNRP), thereby all but ensuring Hun Sen's continued stranglehold over politics.³⁹ Meanwhile, in Thailand, a military junta came to power by coup in 2014 and thereafter enshrined its own regressive constitution, which gives the military control over the senate and constricts the avenues to political power in parliament, available only to heavily vetted opposition candidates.⁴⁰

Retrograde authoritarians, by contrast, rely on coercive power – frequently backed up with the use of violence against their own people to enforce the regime's agenda – without concern for how a suppressed citizenry regards its rulers. Myanmar's ruling State Administration Council (SAC) is a prime example of retrograde authoritarianism. The junta barely tries to mask its brutal crackdown on peaceful

[700-civilians-killed-by-myanmar-junta-since-coup](#).

35 Curato & Fossati 2020; Pepinsky 2020

36 Mietzner 2020

37 Morgenbesser 2020

38 *Ibid*, p. 2

39 'Cambodia top court dissolves main opposition CNRP party', *BBC*, 16 November, 2017. Available at: <https://www.bbc.com/news/world-asia-42006828>.

40 For more, see 'Elections in Thailand: 2016 Constitutional Referendum,' *International Foundation for Electoral Systems*, 4 August, 2016. Available at: <https://www.ifes.org/faqs/elections-thailand-2016-constitutional-referendum>.

protesters or legitimate its grip on power. It has killed innocent civilians, including children, arrested elected lawmakers and tortured political prisoners, in an attempt to intimidate Myanmar people and destroy opposition to its rule.

Where once political theorists assumed convergence between democracy and good governance,⁴¹ today the two have become bifurcated. As Thomas Pepinsky has shown, certain undemocratic states boast good governance even in the absence of human rights.⁴² For instance, one-party authoritarian Vietnam proved among the most effective in the world at containing the pandemic and has shown greater transparency and improved government services at the local level, according to the UN-administered Provincial Administrative Performance Index (PAPI).⁴³ Meanwhile, quasi-authoritarian Singapore is renowned for its cleanliness, quality infrastructure, and low levels of corruption.⁴⁴ By comparison, democratic states frequently fail to deliver competent governance and citizen services. For example, Indonesia and the Philippines have both had disastrous responses to the COVID-19 pandemic.⁴⁵ Despite the fact that both are democracies and therefore at least theoretically accountable to their citizens, each was slow to react and even downplayed the extent of the public health crisis.⁴⁶ Timor-Leste, on the other hand, successfully prevented the pandemic's spread throughout 2020 despite limited resources.⁴⁷ As the newest and one of the least developed countries in Southeast Asia, democracy has brought new political

41 See for instance, Rachel Gisselquist, 'Good governance as a concept, and why this matters for development policy', WIDER Working Paper, no. 2012/30, The United Nations University World Institute for Development Economics Research (UNU-WIDER), Helsinki (2012). Available at: <https://www.econstor.eu/bitstream/10419/81039/1/688432662.pdf>. See also Daniel Kaufmann, Aart Kraay, and Pablo Zoido-Lobaton. 'Governance Matters', Policy Research Working Paper 2196, World Bank, 1999.

42 Thomas Pepinsky, 'Decoupling governance and democracy: The challenge of authoritarian development in Southeast Asia', Brookings Institution, July 2020. Available at: <https://www.brookings.edu/research/decoupling-governance-and-democracy-the-challenge-of-authoritarian-development-in-southeast-asia/>.

43 Trang (Mae) Nguyen and Edmund Malesky, 'Reopening Vietnam: How the country's improving governance helped it weather the COVID-19 pandemic,' Brookings Institution, 20 May, 2020. Available at: <https://www.brookings.edu/blog/order-from-chaos/2020/05/20/reopening-vietnam-how-the-countrys-improving-governance-helped-it-weather-the-covid-19-pandemic/>.

44 For example, see Jon S.T. Quah, 'Singapore's Success in Combatting Corruption: Four Lessons for China', *American Journal of Chinese Studies* 23: 2 (Oct. 2016): 187-209.

45 Joshua Kurlantzick, 'How Jokowi Failed the Test of COVID-19 in Indonesia', *World Politics Review*, 9 June, 2020. Available at: <https://www.worldpoliticsreview.com/articles/28823/amid-lackluster-response-by-jokowi-indonesia-reels-from-covid-19>.

46 For more on the Philippines' response, see Michael Beltran, 'The Philippines' Pandemic Response: A Tragedy of Errors', *The Diplomat*, 12 May, 2020. Available at: <https://thediplomat.com/2020/05/the-philippines-pandemic-response-a-tragedy-of-errors/>.

47 Freedom House, 'Freedom in the World 2020'

turmoil for Timor-Leste, exemplified by the interparty gridlock and personality politics that led to a parliamentary standstill in 2017-18.⁴⁸ Thus far, however, Dili has managed to overcome partisan disputes with relative stability and tolerance, as demonstrated by its recent response to Cyclone Seroja.⁴⁹ This is not to impute a qualitative judgment regarding various countries' form of government but rather to refute any simple correlation between democracy and good governance, on the one hand, or between authoritarianism and weak governance, on the other hand. Just as both democracies and authoritarian states display varying levels of illiberalism (and can be viewed on a single spectrum), so too democratic and authoritarian states show surprising — at times seemingly contradictory — levels of governance capacity.

A focus on government accountability' provides a useful starting point for engaging with civil society on the promotion of good governance, democracy and human rights.

This concept allows for a recognition that that in illiberal or partly free democracies in particular (such as Indonesia, Malaysia, the Philippines, and Singapore), civil society actors may need to revise their strategies to a range of new challenges. While not abandoning their focus on democracy promotion or muting their advocacy for human rights, civil society actors may need to evaluate the needs of the societies in which they operate and the limits of their capabilities to operate freely in contexts where their goals are at odds with growing state repression. Government accountability offers a focal point for engaging with potentially unwilling governments. It also helps to empower civil society organisations to demand greater transparency and the provision of public goods from the state. It makes space for creative approaches in which civil society may need to adopt different languages to frame their efforts in order to suit specific circumstances.⁵⁰ Civil society networks can promote forms of participatory politics more commonly associated with democracy and human rights, even if they don't use such rhetoric to frame their efforts by emphasising governance and accountability.

48 For more on this episode and Timor-Leste's democratic resilience, see Hunter Marston, 'Despite the Odds:

Timor-Leste's Quest to Avoid a Debt Trap Dilemma and Achieve Democratic Stability', Pell Center for International Relations and Public Policy, Salve Regina University (2019). Available at: <https://www.pellcenter.org/wp-content/uploads/2019/05/Marston-2019.pdf>.

49 For more on Cyclone Seroja and Dili's response, see Méabh Cryan, 'Cyclone Seroja in Timor-Leste: A Complex Crisis', *Australian Outlook*, Australian Institute of International Affairs, 15 April, 2021. Available at: <https://www.internationalaffairs.org.au/australianoutlook/cyclone-seroja-in-timor-leste-a-complex-crisis/>.

50 See Appendix



CCAFS/FAO/UNEP WCMC Scenarios Workshop Southeast Asia on Climate Change, Agriculture and Food Security AR Climate on Flickr. Photo: Elisabeth van de Grift.

In more overtly authoritarian states in Southeast Asia, policymakers should consider supporting civil society organisations working to improve governance and adopt a more cautious approach to democracy and human rights promotion. Doing so will allow practitioners to remain engaged in particularly challenging settings where democracy and human rights advocacy are likely to encounter political roadblocks or even expulsion. For instance, in 2017 Cambodia expelled staff from the National Democratic Institute on erroneous charges of violating Cambodia's "national sovereignty."⁵¹ While NDI programs include governance and development assistance, its election monitoring activities and support for democracy made the organisation a target for Hun Sen's conspiratorial allegations of foreign interference in the country and helped him to paint his political rivals as corrupt or foreign proxies. By contrast, international practitioners working in Vietnam, for example, have been able to cooperate with municipal officials and governance reformers on less sensitive matters that nevertheless have direct results which impact the lives of ordinary people.⁵² Increasing authoritarian sophistication therefore requires civil society supporters — both international and local — to generate new tools and methods to engage local actors working in complex milieu.

⁵¹ Neang Ieng and Sel San, 'Cambodia Expels US NGO, Suspends Radio Stations Allowing Government Criticism,' Radio Free Asia, 23 Aug., 2017. Available at: <https://www.rfa.org/english/news/cambodia/expulsion-08232017155453.html/>.

⁵² Martin Painter, 'Public administration reform in Vietnam: problems and prospects', Public Administration and Development 23, no. 3 (2003): 259-271.

Beyond resistance & engagement: Examining civil society in Southeast Asia

In light of authoritarian innovations and the rise of illiberalism, it is necessary to revisit our understanding of civil society in Southeast Asia. Like much of the early democratisation literature that envisioned a clear distinction between democracy and authoritarianism, much of the scholarship on civil society implicitly assumed a strong connection between civil society and liberal democracy. Since at least the end of the Cold War, scholars and practitioners have predominantly conceived of civil society as distinct from the state and as a grassroots pillar to advocate, inform, or even resist certain government policies.⁵³ As noted in this paper (and in the series analyses), many civil society organisations work around the state to expand governance, education, and basic services where their governments fall short.⁵⁴

Others seek to promote human rights, democracy, and rights such as freedom of expression, freedom of demonstration, and freedom of religion, oftentimes drawing the ire of government or security services intent on policing dissent. However, civil society in Southeast Asia is not always entirely independent from the state. As Muthiah Alagappa has argued, "there is much overlap between civil and political societies; the boundary separating them is porous."⁵⁵ Compared to liberal democracies, there is less space for independent civil society to operate in closed or authoritarian countries.⁵⁶ For instance, in Vietnam, all non-governmental organisations (NGOs) must be legally registered under the Vietnam Union of Science and Technology Associations (VUSTA), which is an umbrella organisation linked to the Communist Party of Vietnam.⁵⁷ In Thailand, legislators are mulling a new bill that

⁵³ See for instance Samuel Huntington, 'Democracy's Third Wave,' *Journal of Democracy* 2: 2 (1991): 12-34.

⁵⁴ At risk of stating the obvious, it is worth making the point that civil society organisations are not homogenous. Some prefer to work in opposition to the state and challenge it on sensitive grounds concerning democracy and human rights. Others tend to work in quieter cooperation (even deference) to the state and avoid taking a critical stance versus government institutions in order to maintain a non-threatening perception and continue operating in a given country. At the same time, some NGOs are faith-based; others are secular; still others are cultural groups and may have no interest in politics; while many organisations have issue-specific mission statements with focus on a specific cause, such as environmental protection.

⁵⁵ Muthiah Alagappa, 'Introduction', in Muthiah Alagappa, ed. *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space*, Stanford, CA: Stanford University Press (2004), p. 11

⁵⁶ Alagappa, p. 37

⁵⁷ See Hai Hong Nguyen, 'Civil society and democratisation in Vietnam', *East Asia Forum*, 2 Feb., 2013. Available at: <https://www.eastasiaforum.org/2013/02/02/civil-society-and-democratisation-in-vietnam/>.

would impose additional state scrutiny on civil society organisations and undermine their ability to operate.⁵⁸ By comparison, in Timor-Leste or the Philippines, NGOs can be registered independent of government institutions.⁵⁹

In authoritarian countries, civil society has had to adapt to state repression and authoritarian tactics to curtail their independence. For instance, in Myanmar, civil society has typically operated underground to evade government control or, by necessity, cooperated partly with the state. In the mid-2000s, scholars and civil society practitioners used the term “GONGO” to refer to government-owned (or operated) non-governmental organisations.⁶⁰

Authoritarian states such as Cambodia and Vietnam had found ways to co-opt civil society, approving and restricting activity areas which they deemed as more or less threatening to regime survival. However, as the case of Myanmar shows, there were also signs of a “third force” arising in the interstices of the state and civil society opposition (the latter two elements — state vs. civil society — comprising the first and second “forces”).⁶¹ For instance, in Myanmar in the mid-2000s, civil society organisations (CSOs) with close ties to the state yet operating relatively independently, began to advocate for liberalising reforms, slowly at first and often in conjunction with certain reformers in state institutions. One example from the pre-2010 transition period was the organisation Myanmar Egress, whose founder Nay Win Maung pragmatically engaged leaders of the military junta and offered policy advice on public sector reforms. He controversially urged Aung San Suu Kyi, then under house arrest, to accept the military-drafted 2008 Constitution, but was an influential

58 Human Rights Watch, ‘Thailand: NGO Law Would Strike ‘Severe Blow’ to Human Rights’, 2 April, 2021. Available at: <https://www.hrw.org/news/2021/04/02/thailand-ngo-law-would-strike-severe-blow-human-rights>.

59 That is not to say that civil society organisations in the Philippines are unmolested by state authorities. Activists are frequently the target of threats and violence. For instance, see CNN Philippines Staff, “11 activists arrested at Laguna Anti-Terrorism Law protest, says youth group,” CNN, 4 July, 2020. Available at: <https://www.cnn.ph/news/2020/7/4/cabuyao-laguna-protests.html>.

60 Moises Naim, ‘What Is a GONGO?’ Foreign Policy, 13 Oct., 2009. Available at: <https://foreignpolicy.com/2009/10/13/what-is-a-gongo/>.

61 I use the term, like other scholars of democracy and civil society, specifically with regard to Myanmar’s nascent democratic transition around 2010, to refer to a third-party opposition network which positioned itself between the grassroots dissident movement (in Myanmar’s case embodied by the National League for Democracy and other critics allied against the military junta), on the one hand, and the ruling regime (the State Peace and Development Council (SPDC) military junta in the example of Myanmar). For more on the “third force,” see Ann M. Florini, ed. *The Third Force: The Rise of Transnational Civil Society*, Washington, DC: Carnegie Endowment for International Peace (2000), p. 1-15.

architect of Myanmar’s guided transition to partial democracy. The example of Myanmar Egress shows how CSOs that engage with authoritarian governments often struggle to avoid co-optation and maintain their autonomy. Operating in this “grey zone” comes with certain advantages but places CSOs in a fraught position, partly dependent on the state they seek to evade and reform.

Even in outwardly democratic states like the Philippines, CSOs are vulnerable to elite co-optation and pressure tactics.⁶² Philippine civil society increasingly finds itself operating at odds with an illiberal and coercive government, while critics of Rodrigo Duterte frequently become targets of hardcore Duterte supporters calling themselves “Diehard Duterte Supporters” (DDS).⁶³ While the Philippines remains a competitive and participatory democracy, Duterte has taken the country in a markedly more illiberal and authoritarian direction. In Timor-Leste, by contrast, CSOs operate comparatively freely but face capacity and resource constraints similar to those in Indonesia and other young democracies (including the Philippines). The median age in Timor is less than 20, which poses additional challenges for an up-and-coming generation to learn from and work with the older generation of political leaders, and vice versa.⁶⁴

Additionally, scholars have noted that the liberal democratic normative bias across much of the literature on civil society tends to be too narrow to capture socio-political contexts in less democratic and illiberal environs. For example, Kopecký and Mudde argue for the need to widen our understanding of civil society:

Civil society is not one homogeneous entity, but rather a heterogeneous sphere in which various groups exist and at times mobilize; sometimes together, sometimes apart, sometimes together against the state, sometimes alone against each other.⁶⁵

Much of the literature overlooks what they call “uncivil society.”⁶⁶ Uncivil society

62 Jasmin Lorch, ‘Elite capture, civil society and democratic backsliding in Bangladesh, Thailand and the Philippines’, *Democratization* (2020): 1-22. See also Mark Thompson, ‘Bloodied Democracy: Duterte and the Death of Liberal Reformism in the Philippines’, *Journal of Current Southeast Asian Affairs* 35:3 (2016): 39-68.

63 For more on the variety of Duterte supporters in the Philippines, see Jason Vincent A. Cabanes and Jayeel S. Cornelio, ‘The Rise of Trolls in the Philippines (and What We Can Do About It)’, pp. 231-250, in Nicole Curato, ed., *A Duterte Reader: Critical Essays on Rodrigo Duterte’s Early Presidency*, Manila: Bughaw, 2017.

64 CIA World Factbook, ‘Timor-Leste’, Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/tt.html>. Accessed 17 Nov., 2020.

65 Kopecký and Mudde 2003, 9

66 For more on the normative distinction between “civil” and “uncivil society,” see Petr

typically refers to nationalist or extremist groups that do not espouse liberal mores but which are nevertheless grassroots organisations representative of social movements.⁶⁷ A wider scope of analysis might consider illiberal activists and seek to understand, if not necessarily accommodate, Asia's growing conservative movement.⁶⁸ For example, recent scholarship has begun to take seriously the conservative, hardline Buddhist group Ma Ba Tha in Myanmar, which has advocated for the exclusion of Muslims from Myanmar society and legislation to limit interfaith marriage.⁶⁹ The group's leader Wirathu gained notoriety as the "Buddhist Bin Laden" for inciting violence against Myanmar's Muslim populations and, despite a government arrest warrant, remains influential.⁷⁰ Similarly, in Indonesia, conservative Islamic groups have wielded a powerful influence over politics in Jakarta. President Joko Widodo has in turn courted Islamic groups such as Nahdlatul Ulama (NU) by appointing conservative cleric Ma'ruf Amin as vice president.⁷¹ Arguably, there is no clearer indication that civil society and the state have become co-dependent than the merger of NU and the Indonesian Democratic Party of Struggle (PDI-P), Jokowi's political party.

Kopecký and Cas Mudde, 'Rethinking Civil Society', *Democratization* 10:3 (2003): 1-14.

67 Ibid, 3-4

68 For more on the rise of right-wing movements and populism in Asia, see Priya Chacko and Kanishka Jayasuriya, 'Asia's Conservative Moment: Understanding the Rise of the Right', *Journal of Contemporary Asia* 48:4 (2018): 529-540; and Kanishka Jayasuriya, 'Authoritarian Statism and the New Right in Asia's Conservative Democracies', *Journal of Contemporary Asia* 48:4 (2018): 584-604.

69 Melyn McKay, 'Buddhism and State Power in Myanmar', International Crisis Group, 5 Sept., 2017. Available at: <https://www.crisisgroup.org/asia/south-east-asia/myanmar/290-buddhism-and-state-power-myanmar>. Also see McKay, 'The Religious Landscape in Myanmar's Rakhine State', United States Institute of Peace, Aug. 2019. Available at: https://www.usip.org/sites/default/files/2019-09/20190829-pw_149-pw.pdf.

70 Hannah Beech, 'The Face of Buddhist Terror', *TIME*, 1 July, 2013.

71 As chairman of the Indonesian Ulama Council, Ma'ruf Amin oversaw all registered Muslim organisations in Indonesia and issued several controversial fatwas, or decrees. See Tasha Wibawa, 'Why has Indonesian President Joko Widodo picked a hard-line cleric as his running mate?' ABC News, 18 August, 2018. Available at: <https://www.abc.net.au/news/2018-08-18/joko-widodo-picks-a-hardline-muslim-cleric-as-his-running-mate/10117820>. Also see John McBeth, 'Can Widodo stop Indonesia's increasing Islamisation?' *The Strategist*, Australian Strategic Policy Institute, 22 November, 2019. Available at: <https://www.aspi.org.au/can-widodo-stop-indonesias-increasing-islamisation/>.

Themes for further investigation

Building on the analytical discussion above, this paper suggests further investigation is needed along the following lines:

1. **Formulating effective strategies in a variety of contexts that account for regional complexity, growing illiberalism, and "durable authoritarianism":** The current rise of illiberalism may come to represent a short-term trend, but it is difficult to place long-term bets on the direction of liberal democracy in Southeast Asia. Adapting to the rise of illiberalism will require strategic patience, or a shift in mindset that incorporates a recognition that in the long run, Southeast Asia may not become more democratic or more liberal as previously hoped. Rather, it seems equally or more likely to remain authoritarian, or at least semi-authoritarian. Foreign governments and international NGOs may have to be patient and realistic in the face of illiberal headwinds if they want to remain engaged with governance reformists and civil society networks in the region. Today's circumstances demand that policymakers and donor agencies embrace complexity and tailor country-specific strategies that are flexible and resilient. The concept of government accountability invites further investigation by scholars and practitioners working with civil society organisations in illiberal and authoritarian settings.

2. **How to avoid co-optation or elite capture and associated complications of working with illiberal governments or in illiberal democracies in Southeast Asia:**

As suggested in Section III of the paper, authoritarian states use a blend of coercion and reward to co-opt civil society organisations seeking to work around or with the state. More research into best practices regarding how civil society has successfully evaded state capture in specific contexts would serve donors and practitioners well in their efforts to engage civil society in undemocratic settings, such as Cambodia, Laos, Myanmar, and Vietnam.

3. **Opportunities and challenges posed by engaging with illiberal actors in "uncivil society":** In particular, there is little research as yet into the risks associated with engaging "uncivil" society or (in the case of Indonesia, Myanmar, the Philippines, or Thailand) illiberal actors or networks tied to controversial non-state organisations. Such an understanding would be especially helpful for foreign donors and practitioners seeking local partners in the Philippines and Indonesia, where despite semi-consolidated democracy and strong precedents of elections, autocratic leaders have eroded democratic institutions, checks and balances, and have had significant success entrenching illiberal values. In such an environment, greater appreciation of the potential implications of working with "uncivil society" actors promoting illiberal agendas is needed before seeking expanded partnerships with such organisations or individuals.

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Appendix: Mixed Strategies for Working with Civil Society in Southeast Asia

Freedom House rating	Country	Recommended strategy
Free	Timor-Leste	Proactive approach: Open support for democracy and human rights is less likely to encounter state resistance so can be pursued freely. International actors can still emphasise government accountability as an overarching framework that links civil society and the state in cooperative relationships.
Partly free	Indonesia Malaysia Philippines Singapore	Mixed strategies: In partly free societies, mixed approaches – combining support for governance improvement with carefully tailored engagement with civil society organisations that promote human rights and democracy where possible – are advisable. By emphasising government accountability, such a strategy will allow local actors to adjust their demands and tactics to the needs of their society, mindful of the limits associated with illiberal state policies that may constrict civil society independence.
Not free	Brunei Cambodia Laos Myanmar Thailand	Discretion required: Working in undemocratic or authoritarian states requires caution. Prioritising governance along with targeted efforts at human rights or democracy promotion where practical may be necessary. Practitioners can still engage in more sensitive areas if certain authorities (gatekeepers) are receptive to their agenda, but are more likely to encounter state coercion or related barriers.



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