# THE JOURNAL OF DIPLOMACY AND FOREIGN RELATIONS

## CONTENTS

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## CONTENTS

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# Straits of Malacca and Singapore: Sharpening the Focus

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## ABSTRACT

Maritime security, sovereignty issues, well-being at sea and safety to navigation collectively relate to geopolitical issues that require the principles of international law and international relations to be applied in order to resolve the myriad of problems in the regional seas of Southeast Asia. In the context of the Straits of Malacca and Singapore many issues manifest themselves on a daily basis despite the fact that on the surface, no pun intended, there appears to be 'smooth sailings'. The Belt and Road Initiative will bring economic advantages and yet it imposes many challenges. This brief study alludes to the competitive nature demonstrated by the littoral states to attract a larger share of maritime trade; offers an analysis of the issues that confront the States administering the Straits; and, concludes that the focus needs to be sharpened to ensure any problems that are experienced are kept to a minimum.

*Keywords:* Safety of navigation; sea-lane of communication; traffic separation scheme; under-keel clearance

## INTRODUCTION

Entering the Straits of Malacca and Singapore is especially challenging and stressful for mariners. The risks of collision and grounding are ever-present, especially in the confined sea lanes of the southern sector. Seafarers are also concerned of becoming victims in the event of armed-robbery, high-jacking, piracy or terrorist attack. The Straits are amongst the world's busiest and most important sea lanes of communication. They will continue to grow in significance as maritime trade flourishes. A record 83,740 ships transited through these Straits during 2017. The average number of daily transits reported to Port Klang Vessel Traffic System (VTS) administration in Malaysia was 229.[2]

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1    See V.L.Forbes (2017) 'Territorial Sea Limits in the Singapore Strait', Journ. of Territorial and Maritime Studies, Vol. 4, No. 2 pp. 119-134 for a detailed study of jurisdiction and navigation issues; Seatrade Maritime News, www.seatrade-maritime.com/new <accessed 1 June 2018>

2    'How much trade transits the South China Sea', https://chinapower.csis.org/ <1June 2018>

The focus of attention, by mid-2018, is on the Straits of Malacca and Singapore as the concept of the Belt and Road Initiative (BRI) gathers momentum and other geopolitical issues relating to maritime space in the semi-enclosed seas of the Southeast Asian region, and in particular, to the sovereignty disputes centred on the South China Sea and at the eastern approaches to the Straits of Singapore. The BRI is a combination of the Old Silk Road (land route over central Asia from China) and the Maritime Silk Road (MSR) linking the ports of China with those in Southeast Asia, along the South Asian littoral and northeast Africa.[3] A further western extension envisages linkages to ports in Europe and the United Kingdom. More ambitious aims of the Government of China and its maritime industry are to operate the Polar Silk Route – the northern sea routes through the Arctic Ocean, weather and ice-free conditions permitting.

A key requirement for the success of the Maritime Silk Road - which envisions linking China by sea with Europe by way of various Asian and African countries - is to keep critical sea lanes open and safe for shipping. The Maritime Silk Road is part of China's Belt and Road Initiative, which envisions connecting Asia, Europe and Africa through a network of roads, ports, bridges, tunnels, pipelines and other projects. This means the transit passage through the Straits of Malacca and Singapore cannot be suspended or impeded, as these waters are crucial to connecting the Indian and Pacific Oceans ports. Vessels from all countries use the sea lanes as well. The Straits of Malacca and Singapore hold the status of Straits used for international navigation, and passage through them is provided for in the Articles of the 1982 UN Law of the Sea Convention.

The three littoral states' – Indonesia, Malaysia and Singapore – position on the right of transit passage, and for that matter, innocent passage, for ships and aircrafts of all countries through the Straits of Malacca and Singapore. The three states are strong proponents of these rights and desire to ensure the smooth flow of traffic and trade through the Straits of Malacca and Singapore.[4] They will not support any attempt to restrict transit passage to ships and overflights of aircraft from any country. This is a key principle of vital interest to these states as maritime trade is their livelihood. The Straits of Malacca and Singapore (SOMS) carry about one third of the world's traded goods. Unlike other major shipping lanes, the SOMS is shared by three states: Indonesia, Malaysia and Singapore. The increasing number of ships passing through the Straits of Malacca and Singapore is a cause for concern for the authorities and hence joint control measures need to be in place to prevent maritime accidents and illegal activities. Indeed, an estimated 1,000 ships are in the Port of Singapore at any one time and a ship arrives or leaves Singapore every two to three minutes each day.

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3     Joe Baker, 'Is Southeast Asia home to the most dangerous waters in the world?'14 March 2018, Ship Technology, https://www.ship-technology.com <accessed 1 June 2018>

4     The Government of Iran has threatened to block the Strait of Hormuz on several occasions – in 2011, 2012 and 2016 – if sanctions were imposed. See, for example, Foreign Policy, the BBC World News and many other media reports, including Wikipedia webpage. Of special interest is the book by N.E El-Shazly's *The Gulf Tanker war: Iran and Iraq's Maritime Swordplay*, Springer

## GEOGRAPHICAL CHOKEPOINT

An underlying concern of the international community, ever since 1979, is that of an un-intentional or deliberate act of setting an oil tanker ablaze and/or running the ship aground at a strategic location in a geographical constriction such as the Strait of Hormuz[5] and the Straits of Malacca and Singapore.

If the Malacca Strait was blocked, nearly half of the world maritime fleet and trade would be required to re-route around the Indonesian archipelago, such as, through the Lombok Strait between the Indonesian islands of Bali and Lombok, or through the Sunda Strait between Java and Sumatra. Re-routing would create havoc to global shipping capacity; add to shipping costs and insurance; and, potentially affect energy prices. On an average, over a six-year period nearly 27.72 per cent of oil and petroleum products were transported via the Malacca Strait.

Several proposals have been made to establish bypass options and reduce tanker traffic through the Malacca Strait. In particular, China and Myanmar (Burma) commissioned the Myanmar-China natural gas pipeline in 2013 that stretches from Myanmar's ports in the Bay of Bengal to the Province of Yunnan, China. The pipeline has a capacity of 424 billion cubic feet per year. The oil portion of the pipeline was completed in August 2014 and it is now operational at full capacity since the 260,000b/d-refinery in Yunnan, China, began operating in June 2017. The Myanmar-China oil line transports Middle Eastern oil, allowing it to bypass the Malacca Strait.[6]

There is also the possibility of a new trade route envisaged through Thailand's planned Kra Canal that the Government of China through its Asia Infrastructure Investment Bank (AIIB) will happily fund to ensure the free flow of maritime traffic and trade.

Further west, the Government of China has invested heavily to establish an economic corridor from south-western China through Pakistan to the Port of Gwardar on the northern coast of the Arabian Sea.[7] The corridor will have pipeline and road connectivity to the maritime trade from the Persian Gulf to China. Perhaps the rationale here is that China would have a 'trouble-free' (un-interrupted) supply of energy resources in the unlikely event that supplies are blocked in the semi-enclosed seas of Southeast Asia.

The Malacca Strait is also an important transit route for liquefied natural gas (LNG) from Persian Gulf and African suppliers, particularly Qatar, to East Asian countries with growing LNG demand. The biggest importers of LNG in the region are Japan and South Korea.

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5     China Open delayed Myanmar Oil Pipeline, 11 April 2017 https://www.bloomberg.com
6     The China/Pakistan Economic Corridor. See official webpage www.cpec.gov.pk
7     US Energy Information Administration (www.eia.gov) <accessed 31 May 2018

| Location | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|
| Malacca Strait | 14.5 | 16.8 | 15.4 | 15.5 | 15.5 | 16.0 |
| World | 55.5 | 56.4 | 56.5 | 56.4 | 58.9 | 60.0 |
| Percentage | 26.1 | 29.79 | 27.26 | 27.48 | 26.32 | 26.67 |
| | | | | | | |
| LNG (Tcf per year) | 2.8 | 3.5 | 3.9 | 4.1 | 3.6 | 3.2 |

**Table 1:** Oil and Petroleum Products transported through Malacca Strait[8] Statistics given in million barrels per day.
(*Source:* US Energy Information Administration (www.eia.gov) <accessed 31 May 2018>

## PORT DEVELOPMENT

Indonesia, Malaysia and Singapore are in competitive mode as each develops new ports within and just outside the Straits of Malacca and Singapore to take advantage of the Maritime Silk Road trade. Work was well under by late-2017 to secure Singapore's future as a key port-of-call, namely in the form of new the Tuas mega port to rival the Port of Tanjung Pelepas and Johor Port of Malaysia, a few miles upstream of the Johor Strait.

However, these efforts are meeting serious competition from Indonesia and Malaysia as each plans a range of large-scale infrastructure projects that will vie for transhipment business in the regional sea. In August 2017, the Government of Malaysia had plans to build a large port on Carey Island adjacent to its main Port Klang, valued at nearly US$ 30 billion while a new East Coast Rail Link (ECRL) was considered as an 'alternative trade route' that would take a projected 53 million tonnes of cargo that would bypass the port of Singapore annually by 2030. However, by May-2018, some adverse reports infer that some of the ambitious plans may be scuttled by the new Government of Malaysia since mid-May 2018.

## DEVELOPMENTS TO ENSURE SAFE PASSAGE

On 1 October 2017, an announcement was made by Deputy Transport Minister Datuk Abd Aziz Kaprawi that US$6mil (Ringgits 25.4 mil) was handed over to Malaysia as it was the country's turn to host the *Aids of Navigation Funds* for a three-year period to finance security and environmental matters in the Straits of Malacca and Singapore.[9] The Aids of Navigation Funds was created as an avenue to receive financial contribution from other user states for the maintenance of navigational aids in the Straits of Malacca and Singapore. A total fund exceeding US$20mil had been collected since 2008 through the initiative from various countries including Japan, Australia, China, Greece, Germany, United States and Saudi Arabia. The Nippon Foundation and the Malacca Straits Council are to be congratulated for their initiatives and continued financial and infrastructure support.

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8     Announcement re: Aids of Navigation Funds Reported by Star Online and other media https://www.thestar.com.my/news/nation/2017/10/02/malaysia-gets-us6mil-fund-to-manage-straits-of-malacca-singapore

9     Map extract of Marine Traffic in the Straits of Malacca and Singapore, 30 May 2018, 10:50 GMT    https://www.marinetraffic.com/en/ais/home/centerx:106.1/centery:3.7/zoom:7

The fund will also be used to manage environment-related matters in the Straits of Malacca and Singapore as these waterways are among the busiest in the world – more than 130,000 vessels passing through every year. It is a major east-west shipping lane where a quarter of all oil shipments are transported annually. Thus, working together to keep the key sea lanes open and safe for shipping from all countries, and for all countries, is a key prerequisite for the modern Maritime Silk Road.
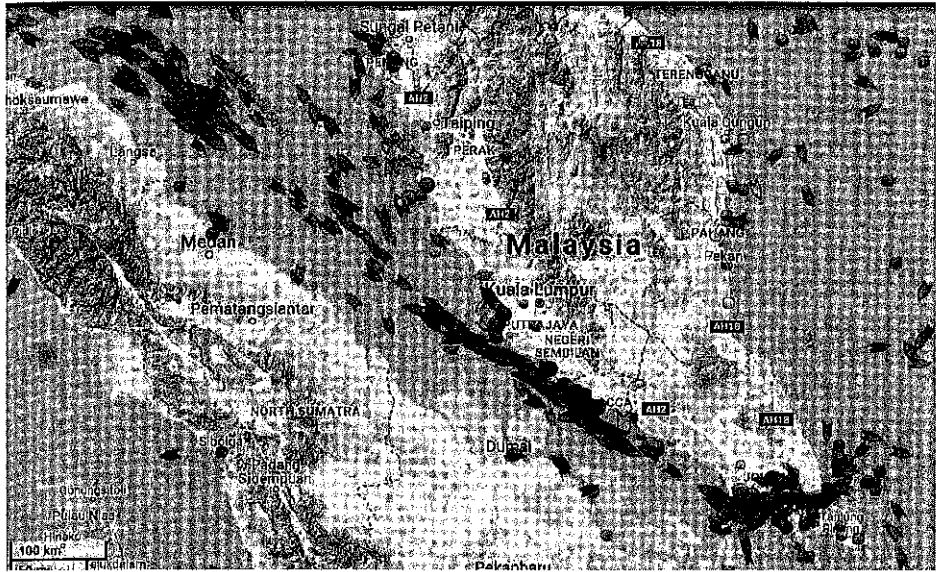


**Figure 1**: Marine Traffic in the Straits of Malacca and Singapore, 30 May 2018, 10:50GMT[10] https://www.marinetraffic.com/en/ais/home/centerx:106.1/centery:3.7/zoom:7 <accessed 30 May 2018>

## SAFETY OF NAVIGATION

A series of the meetings under the Cooperative Mechanism on Safety of Navigation and Environmental Protection in the Straits of Malacca and Singapore were held in Kota Kinabalu, Malaysia during 2 to 6 October 2017. The Tripartite Technical Expert Group (TTEG) discussed safety of navigation, including e-navigation, and marine environmental protection in one of the busiest waterways were on the agenda of the meetings, that was attended by representatives of the littoral States (Indonesia, Malaysia and Singapore), user States and other stakeholders in the Straits of Malacca and Singapore Straits (SOMS).

The International Maritime Organisation's (IMO) Hiro Yamada participated in the 10th Co-operation Forum (CF10), the 10th Project Coordination Committee (PCC10) and

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10    The critical depth areas of SOMS that are of concern and focus of attention. FAIRPLAY 5 March 2018 by Simin Ngai Phase two of a hydrographic survey of the straits of Malacca and Singapore started on 5 March, jointly conducted by the three littoral states of Indonesia, Malaysia, and Singapore, as well as the Malacca Strait Council of Japan

the 42nd Tripartite Technical Experts Group (TTEG42) meetings. At the meeting, he explained about IMO's Malacca and Singapore Straits Trust Fund, set up to support capacity-building activities in the Straits, and commented that IMO would continue to contribute to the Cooperative Mechanism. The Cooperative Mechanism was established in 2007, under IMO's "Protection of Vital Shipping Lanes" initiative, to foster cooperation and communication between the littoral States, user States and stakeholders of the Straits of Malacca and Singapore.

The Mechanism comprises three inter-connected and complementary components: the Cooperation Forum serves as a platform for dialogue; the Project Coordination Committee coordinates the implementation of Straits Projects; and the Aids to Navigation Fund receives direct financial contributions for the provision of hydrographic surveying, maintenance to aids to navigation and the Vessel Traffic System (VTS). The alignment of the VTS, from just north of Port Klang southward through the Straits of Singapore to a point west of Pedra Branca (Batu Puteh), is illustrated in Figure 2 and delineated as purple lines.

## TRAFFIC SEPARATION SCHEME

The Traffic Separation Scheme (TSS) is an area where navigation of ships is highly regulated. This is especially important in the Straits of Malacca and Singapore, a relatively narrow but busy waterway that is accessed by all types of vessel. Specific marine area where the TSS is in force includes One Fathom Bank, Port Klang to Tanjung Kling, Malacca to Pulau Iyu Kecil in the Malacca Strait, and in the Singapore Straits: the Main Strait; off Saint John's Island; off Changi; and, in the vicinity of Horsburgh Lighthouse on Pedra Branca. Within these areas the depth of water is relatively shallow for the deep-draught ships plying the Straits and hence there is constant need for accurate information on bathymetry.

## HYDROGRAPHIC SURVEY AND CHARTING

The first phase of a joint hydrographic survey of the Straits of Malacca and Singapore which focused on five depth-critical areas of the Traffic Separation Scheme in the Straits, was completed in 2016. These were in the vicinity of One Fathom Bank, Cape Rachado, (in the Straits of Malacca), Buffalo Rock, off Pulau Sebarok and Batu Berhanti (Straits of Singapore). [See Figure 2] The data from the hydrographical survey will be utilised to produce large-scale Electronic Navigational Charts (ENCs). These new charts will complement existing ENCs of the SOMS and will provide the shipping industry and authorities with high resolution bathymetric information relating to the depths of water in these geographical constrictions.

The second phase of the hydrographic survey of the Straits of Malacca and Singapore which commenced on 5 March 2017 was jointly conducted by the three littoral states of Indonesia, Malaysia, and Singapore as well as the Malacca Strait Council of Japan. The area covered waters shallower than 30 m within the TSS from One Fathom Bank Lighthouse in the Malacca Strait to Horsburgh Lighthouse, which is located at the eastern entrance to

the Singapore Strait. The second phase of the survey is supported by the Japan-ASEAN Integration Fund and is expected to be completed by 2020.
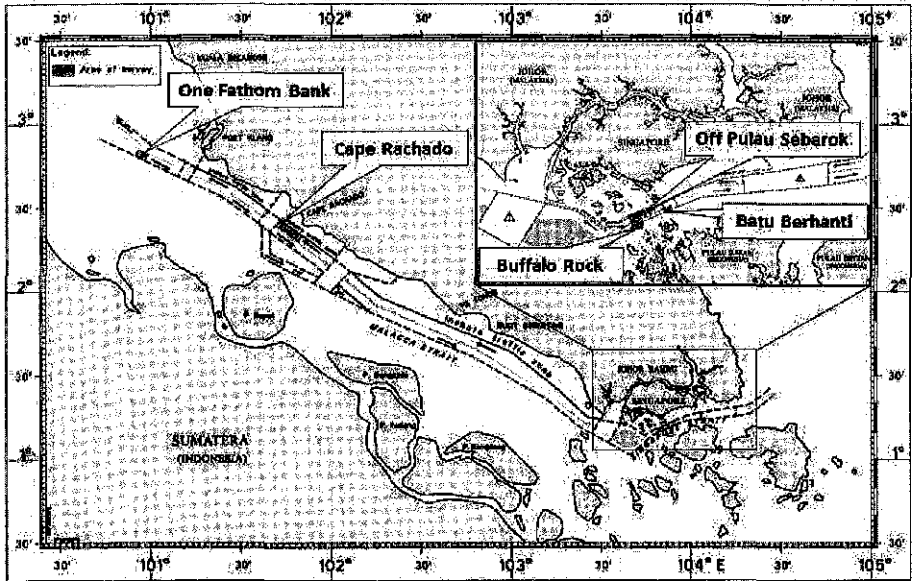


**Figure 2:** Five critical depth areas in the Straits of Malacca and Singapore.[11]
(*Source*: https://www.maritime-executive.com/article/hydrographic- accessed 30 May 2018)

The current phase follows the signing of a memorandum of understanding in October 2017, at the 10th Co-operation Forum held in Kota Kinabalu, Malaysia. The Co-operation Forum was one of the three components of the Co-operative Mechanism on Safety of Navigation and Environmental Protection in the Straits of Malacca and Singapore. The Co-operative Mechanism is the key platform for littoral states of the Straits, user states, as well as the shipping industry and other stakeholders to engage in dialogue on important issues relating to navigational safety and environmental protection.

This initiative was a testament to the strong working relationship between the three littoral states and Japan in promoting the safety of navigation and protection of the marine environment in the Straits of Malacca and Singapore The data collected from the survey will be used to produce more up-to-date and detailed electronic navigational charts that will improve navigational safety and enable better voyage planning in one of the busiest waterways in the world.

The parties agreed that joint control measures would be the best way to reduce accidents to prevent marine pollution and decreased trade. SOMS is one of the most strategic straits

11    Malaysian Maritime Department statistics. Readers may be interested in reading *Spurring National Growth*, 2017. The present author was a member of the MIMA Team that assisted in the compilation of the volume which promotes the Department's role in maritime trade.

in the world for mercantile trade. In 2007, more than 62,000 ships passed through the straits and the figure was predicted to reach around 140,000 in 2020. Marine pilotage was important so that fully loaded ships passing through the shallow and narrow SOMS would not run aground. Marine pilotage was still voluntary for the three countries. The three littoral states could adopt the mechanism implemented by countries around the Baltic Sea, which also cooperated on marine pilotage.

The new ENCs would provide the shipping industry and authorities with high resolution bathymetry information relating to the depth of waters, offering improved voyage planning and enhanced navigational safety.

## TRAFFIC DENSITY

Despite the difficult shipping markets experienced during 2016, traffic density in the world's busiest shipping lane – the Straits of Malacca and Singapore (SOMS) – were up 3.4 per cent to a new all-time high of 83,740 transits. The figures for 2016 were the fifth year of steady growth for traffic in the Straits since 2012, when 75,477 vessels over 300 gross registered tonnes (grt) transited the straits, according to analysis of the Malaysian Marine Department's STRAITREP figures by the Nippon Maritime Centre (NMC). The average number of daily transits reported to Port Klang VTS (Vessel Traffic System - monitoring) in Malaysia in 2016 was 229, up seven from 2015, and compares to 201 in 2011.[12]

## VERY LARGE CRUDE CARRIER (VLCC) TRAFFIC

Leading the growth in number of transits in percentage terms in 2016 were VLCCs with 5,973 transits of the Straits of Malacca and Singapore, an increase of 649 or 12.19 per cent over 5,324 transits by tankers of more than 150,000 dwt (deadweight tonnes) in the previous year. This is well above the 4.8 per cent average annual growth in VLCC transits seen since 2007.

As a whole, VLCCs account for six per cent of all transits of the Straits. Loaded VLCCs bound for Singapore and other ports of Northeast Asia transit the deep-water lane, which is just 1.3 km wide at the vicinity of One Fathom Bank in the Malacca Strait, and only 800 m wide at one point in the Philip Channel in the Singapore Strait, if sailing eastwards beyond Singapore. The following tabulations were compiled from statistics maintained by the Marine Department, Peninsular Malaysia.[13]

**Table 2**: VLCCs transits

| YEAR | NUMBER |
|------|--------|
| 2000 | 3,163 |
| 2001 | 3,303 |

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12    Information on maritime trade within SOMS sourced from the Malaysian Marine Department.
13    Information contained in Tables 5 and 6 derived from World Shipping webpage.

| | |
|---|---|
| 2002 | 3,301 |
| 2004 | 3,477 |
| 2005 | 3,766 |
| 2006 | 3,851 |
| 2007 | 3,753 |
| 2008 | 4,040 |
| 2009 | 4,221 |
| 2010 | 4,333 |
| 2011 | 4.539 |
| 2012 | 4,732 |
| 2013 | 4,825 |
| 2014 | 4,933 |
| 2015 | 5,324 |
| 2016 | 5973 |

## TOTAL TANKER TRAFFIC

Overall tanker traffic, including VLCCs, in the Straits of Malacca and Singapore in 2016 was up 6.91 per cent at 25,439 transits, an increase of 1,645 compared to 23,794 transits in 2015, making it the fastest growing segment as a whole. The 2016 reports mostly tankers carrying clean oil products, and the yearly increase indicate the growing number of oil refineries in operation within East Asia, especially in China. Tankers, excluding VLCCs, were the second largest vessel type to use the Straits accounting for 23 per cent of traffic in 2016 with 19,466 transits.

**Table 3**: Taker Traffic transits

| YEAR | NUMBER |
|---|---|
| 2000 | 13,343 |
| 2001 | 14,276 |
| 2002 | 14,591 |
| 2003 | 15,667 |
| 2004 | 16,403 |
| 2005 | 14,759 |
| 2006 | 14,764 |
| 2007 | 14,931 |
| 2008 | 15,894 |
| 2009 | 16,398 |
| 2010 | 16,247 |
| 2011 | 16,233 |

| 2012 | 17,345 |
|------|--------|
| 2013 | 18,296 |
| 2014 | 18,765 |
| 2015 | 18,470 |
| 2016 | 19,466 |

## CONTAINERSHIP TRAFFIC

Containerships remained the largest segment to transit the Straits of Malacca and Singapore in 2016 with a 33 per cent share of traffic a figure which has remained consistent since year 2000. However, containership transit growth has been relatively slow in recent years with mere 1.54 per cent, or 393 transits, increased in 2016 to 25,786 compared to 25,393 in 2015.

The trend towards very large and ultra large containership tonnage has dampened the overall growth in transits. Container carrying capacity of newer ships has greatly increased in recent times. As a result, container ports in the Straits handled higher cargo tonnage on fewer ships calling in recent years. The number of containership transits in 2016 still remains marginally below the record of 26,359 set in 2008.

**Table 4**: Containership transits

| YEAR | NUMBER |
|------|--------|
| 2000 | 18,283 |
| 2001 | 20,101 |
| 2002 | 20,091 |
| 2003 | 19,575 |
| 2004 | 20,187 |
| 2005 | 22,818 |
| 2006 | 22,615 |
| 2007 | 23,736 |
| 2008 | 26,359 |
| 2009 | 22,310 |
| 2010 | 24,806 |
| 2011 | 25,552 |
| 2012 | 24,639 |
| 2013 | 24,658 |
| 2014 | 25,071 |
| 2015 | 25,393 |
| 2016 | 25,786 |

**Table 5:** Exporters of Containerised Cargo [14]
Twenty-foot Equivalent Units (TEUs in millions)

| Rank/Country | 2014 | 2015 | 2016 |
|---|---|---|---|
| 5th /Indonesia | 4.0 | 3.59 | 3.0 |
| 12th /Malaysia | 2.6 | 2.5 | 2.5 |
| 18th /Singapore | 1.57 | 1.48 | 1.6 |

**Table 6:** Importers of Containerised Cargo

| Rank/Country | 2014 | 2015 | 2016 |
|---|---|---|---|
| 5th /Indonesia | 3.17 | 3.13 | 2.5 |
| 13th /Malaysia | 2.33 | 2.08 | 2.1 |
| 20th /Singapore | 1.86 | 1.79 | 1.9 |

(*Source*: Tables 5 and 6 www.worldshipping.org/ ) <accessed 31 May 2018>

## BULKER CARRIER TRAFFIC

Bulk carrier traffic in the Straits of Malacca and Singapore experienced relatively strong and steady growth since 2011 averaging 4.3 per cent, however, it tailed off during 2015 in what was widely regarded as the worst market for many decades with the Baltic Dry Index hitting an all-time low of 290 points in February 2016.

Bulker-carrier traffic in the Straits of Malacca and Singapore grew 2.49 per cent, or 378 transits, to 15,547 in 2016 compared to 15,169 transits in the previous year. Bulk carriers accounted for 12 per cent of the traffic in the Straits in 2016.

**Table 7:** Bulk carrier traffic transits

| YEAR | NUMBER |
|---|---|
| 2000 | 4,708 |
| 2001 | 5,370 |
| 2002 | 5,754 |
| 2003 | 6,225 |
| 2004 | 6,533 |
| 2005 | 7,394 |
| 2006 | 8,129 |
| 2007 | 9,684 |
| 2008 | 10,256 |
| 2009 | 11,186 |
| 2010 | 11,642 |

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14    For more information the reader is directed to the IMO's webpage.

| 2011 | 10,651 |
|------|--------|
| 2012 | 11,676 |
| 2013 | 12,656 |
| 2014 | 13,454 |
| 2015 | 15,169 |
| 2016 | 15, 547 |

## MARITIME PILOTAGE

Apparently marine pilotage within the Straits of Malacca and Singapore had so far not been conducted in an orderly fashion. This was potentially a serious problem as ship traffic in the SOMS is very dense and approximately 80 million barrels of crude oil were transported through the straits annually. The littoral states – the Straits States – would continue to discuss for the best options.

The International Maritime Organisation (IMO) Recommendation is that all deep-draught vessels and VLCCs navigating within a TSS are urged to use the services of a pilot of the respective countries when they become available. The passage planning guide for the Straits of Malacca and Singapore infer that the increasing size (dimensions) and number of ships pose problems with the risks of collisions and grounding ever-present. This warning calls for watch-keeping standards of the highest ethics.[15]

The Government of Malaysia has given serious attention to environmental damage in the Straits of Malacca and Singapore due to oil spills caused by ship accidents. New equipment was obtained to deal with potential oil spills and assessments undertaken whenever an accident occurred. The Government of Malaysia shares its expertise and activity to protect the straits from oil spill pollution.

The Maritime and Port Authority (MPA) Singapore indicated that approximately 60 ship accidents occurred in the SOMS in 2015. [Appendix 1 presents a list of accidents during 2017]. When a ship accident occurred, the country where the accident took place would lead the efforts to handle the incident – the legal and practical components. Singapore was willing to organize training for marine pilotage through professional and sophisticated technology. When an incident happens within the littoral State's jurisdictional waters, the authorities implement to rules and regulations to investigate the incident to prevent a recurrence of the same incident. A Marine Electronic Highway was established for the sole purpose of overseeing the orderly movement of marine traffic with the Straits.[16]

## MARINE ELECTRONIC HIGHWAY

As part of the ongoing Marine Electronic Highway project being undertaken by Indonesia, Malaysia, and Singapore, OMC International is investigating the feasibility of using AIS

15    Details of the MEH are contained in *Spurring National Growth*, 2017
16    Letter of Intent from OMC International to International Chamber of Shipping. Available on webpage of OMC International <accessed 4 June 2018>

to deliver under-keel clearance (UKC) information to vessels transiting the Singapore and Malacca Straits. A prime concern of shipping is maintaining a safe UKC to avoid the risk of grounding.

Through the International Chamber of Shipping, OMC International, requested on 18 December 2015, the assistance of companies with vessels passing through the Straits of Malacca and Singapore.[17] Survey transit times, fatigue issues and other factors would require about 10 vessels for the study. Deep-draft vessels transiting through the SOMS were chosen to assist in for the study. Most of the vessels used for the survey will be Eastbound – as these are deep-laden – joining at the boarding point in the vicinity of One Fathom Bank and disembarking at Singapore or Horsburgh Light boarding grounds. OMC International included in the study one West-bound container vessel between Singapore and Port Klang.

The programme involved one surveyor, who is a master mariner and former pilot joining a vessel. The survey equipment included AIS equipment, laptops and ancillary equipment such as GPS and AIS aerials. To determine the UKC – a squat survey – two Trimble R7 DGPS (Differential Global Positioning System) units were used. One was placed on the bow and the other at the stern. The equipment also contained power chargers, additional batteries and cables necessary for the efficient operation of equipment.

The bridge equipment consisted of Class A transceiver with associated aerials, laptop and power supply. It also had a pilot plug output to Wi-Fi unit for sending data to iPad PPU. An additional Wi-Fi unit for the ships equipment was available and used if ship's officers and the pilot allow. A secondary trial did not involve an external party on board, but required ship's officers to record messages sent from ashore by AIS only. The trial period was undertaken between February and June 2016. The information derived from the study will be important for the littoral States to reinforce marine legislation.

## LITTORAL STATES: LEGISLATION AND LIMITATION

In Indonesia, the most crucial issue to be proven in the event of a collision is the element of fault, which is regularly taken to be reasonably related to the professionalism of the crew, especially the Master. Under the relevant articles in the *Indonesian Commercial Code*, the liability of parties in a collision is dependent on the proportion of fault that causes a collision.[18] In Malaysia, a collision incident is governed by Section 5 of the *Civil Law Act* 1956 where parties are liable for their proportionate degree of fault. However, where it is impossible to attribute fault to either ship, blameworthiness is apportioned equally. In Singapore, a collision incident is governed by the *Maritime Conventions Act* 1911[19], which is similar to liability applied in Malaysia.

If there was a collision, a ship may limit its liability to 50 Indonesian Rupiah for each cubic metre of the nett tonnage of the vessel, unless the collision occurred intentionally or was

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17    See Benny S Tabalujan 'The New Indonesian Company Law', *U.Pa.J.Int'l Econ.L.* Vol 17:3, pp. 883-908

18    The *Maritime Conventions Act* 1911 (https://sso.agc.gov.sg/Act/MCA1911)

19    For further details on the Convention see www.imo.org/

due to gross negligence or a major error. Neither the *Indonesian Civil Code* nor Indonesia's *Shipping Law* provide a definition of *gross negligence* or *major error*. However, it most likely relates to a material error or mistake committed by the ship's master in circumstances where he should have been fully aware that such an act or omission would compromise the safety of the ship, its passengers, crew and/or cargo.

In Malaysia, the Limitation of Liability for Maritime Claims 1976 as amended by the Protocol of 1996 (the 1996 Protocol) presently applies. However, the limitation of liability regime which currently applies in Singapore is the *Limitation of Liability for Maritime Claims* 1976 (the 1976 Convention). Whilst Singapore has been enforcing the 1976 Convention subject to Part VIII of the *Merchant Shipping Act*) since it came into effect on 1 May 2005, the relevant regulation in Malaysia was the Convention Relating to the Limitation of Liability of Owners of Seagoing Ships in 1957 (the 1957 Convention) until very recently.[20]

A change came about when the *Merchant Shipping (Amendment and Extension) Act* 2011 entered into force in Malaysia making the 1996 Protocol the new regime for the limitation of liability in Malaysia from 1 March, 2014.[21] Under Indonesia Law, the limitation of liability is governed by the Indonesian Commercial Code (ICC) which recognises two types of limitation: package limitation of liability; and, tonnage limitation of liability.

## WRECK REMOVAL

The relevant authority for wreck removal in Indonesia is the Directorate-General of Sea Communications of the Ministry of Transportation. Under Indonesia's Shipping Law, the Directorate General can direct the owner to remove the wreck and/or its cargo to a designated place where it does not interfere with maritime safety and security. The wreck removal operations must be conducted within 180 calendar days after the vessel is sunk. Failing this, the owner may be the subject of criminal sanctions and the Directorate-General will conduct the operations and claim the costs against owners accordingly

When a vessel is declared a wreck, various authorities will take over the conduct of the wreck removal, if necessary. In Malaysia, the Director of Marine Department, who is the principal receiver of wrecks, is empowered under the Merchant Shipping Ordinance 1952 (MSO) to exercise general direction and supervision over all matters relating to wreck and salvage. Under the MSO, where a ship wreck is likely to become a hazard to navigation or a public nuisance or cause harmful consequences to the marine environment, the owner is obliged to locate, mark and remove the wreck promptly and take steps to prevent pollution from occurring. Any non-performance on the owner's part would result in fines.

The Director of Marine Department may also demand financial security from the owner or master to ensure due performance of all actions which the owner or master has agreed to undertake with respect to the wreck removal. In addition, Malaysia has ratified the Nairobi Convention on the Removal of Wrecks 2007 and has enacted mirror provisions in its MSO which require a vessel entering or leaving a Malaysian port to have a contract of insurance

20    See *Laws of Malaysia* Act A1393 www.federalgazette.agc.gov.my <accessed 5 June 18>
21    See Nairobi International Convention on Removal of Wrecks www.imo.org

or other financial security for wreck removal equal to the vessel's limitation of liability calculated under the 1996 Protocol. Any contravention will result in fines being imposed on the owner.[22]

The Maritime and Port Authority of Singapore (MPA) is the authority for the supervision of wreck removal and it may appoint a wreck receiver. Anyone other than the owner of a shipwrecked vessel finding or taking possession of a wreck must deliver it to the wreck receiver as soon as possible. If the finder fails to deliver the wreck, without reasonable cause, that person will not be able to make a claim for salvage and may also be exposed to liability towards the owner or another who is entitled to the wreck under Section 153 of the *Merchant Shipping Act.*

Indonesia has not ratified the Nairobi Convention and does not have similar provisions.

## MARINE POLLUTION: CONVENTIONS AND LEGISLATION

If there is a likelihood that a marine casualty incident may result in pollution of the territorial waters of the three littoral states there is a commitment by each organisation to reduce any harm that may occur to the marine environment. Appendix II presents a tabulation of the list of IMO's Conventions relating to marine pollution. Indonesia, Malaysia and Singapore have ratified several IMO Conventions and Protocols.[23]

Indonesian shipping law regulates the disposal of waste in water resulting from ship operations and port activities and imposes criminal sanctions if such rules are breached. The crews of ships are prohibited from disposing of any waste, trash or dangerous and poisonous chemical substances in Indonesian waters. They must prevent and mitigate the occurrence of a pollution incident, in addition to immediately reporting an occurrence of a pollution resulting from ship operations. Laws are enacted prohibiting the discharge of oil or harmful substances, such as oil, hazardous substances, pollutants or waste from any vessel into its territorial waters and the exclusive economic zone.

A person in contravention of the laws of Malaysia is liable to be fined or imprisoned or both. The Malaysian authorities are entitled to detain the offending vessel until they receive adequate security. As mentioned above, all vessels sailing into Malaysia waters or its exclusive economic zone, must have in place a certificate of insurance or other financial security equivalent to the owners' total liability under the applicable conventions.

Masters and owners of ships entering into Singapore waters are liable for pollutants that are discharged from their vessels. *Pollutants* in Singapore cover more than oil and include garbage, waste matter and plastics as well. Legislation provides that the master, owner and agent of a ship is liable for a criminal offence where such pollutants are discharged from the vessel, unless the discharge incident falls within one of the exceptions, for example if it was necessary for the purpose of securing the safety of a ship or saving life at sea. Further, the owner of a ship is liable to pay for the cost of the measures taken by the MPA

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22     For these Conventions details are available at IMO's webpages
23     The report of accident is available at MPA's, Singapore webpage.

to remove the pollutants and for the costs of preventing or reducing any damage caused by the discharge.

Slightly different regulations apply to discharges of oil or bunker fuel from vessels that are constructed or adapted for carrying oil in bulk as cargo. Civil liability is imposed on the owners of such vessels by the *Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act.*

Under this Act, the owners of such vessels are strictly liable for the damage caused by the discharge and the cost of the measures taken to prevent or reduce such discharge. Liability also extends to any damage that such preventive measures may cause. The owner can, however, escape liability under certain limited circumstances, for example, if he can show that it was caused by the act or omission of a person with the intent to cause damage who is not an employee or agent of the owner. An owner who is found liable under this Act may limit his liability according to the Act, and this limitation is calculated based on the vessel's tonnage. Limitation is however not allowed in cases where the discharge resulted from an act or omission of the owner done either with the intention to cause the damage or cost described in the Act, or recklessly and in the knowledge that any such damage or cost would probably result.

For discharge of bunker fuel (or its residues) from other types of vessels, civil liability is determined by the Merchant Shipping (Civil Liability and Compensation for Bunker oil Pollution) Act 2008. This Act contains similar provisions to the *Merchant Shipping (Civil Liability and Compensation for Oil Pollution) Act*, however under this Act strict liability for the discharge is imposed not only on the registered owner of the vessel but also the bareboat charterer, manager and operator. An owner who is found liable under this Act may also limit his liability; however, in these cases limitation is calculated in accordance with the provisions of the 1976 Convention. These international conventions are necessary to have given the potential for marine accidents.

## SELECT REPORTED ACCIDENTS IN THE STRAITS

The freighter *Thorco Cloud* and chemical tanker *Stolt Commitment* collided on Wednesday night (at 2014 hours; GMT+ 8hours), 16 December 2015 in the East-bound lane of the TSS at the eastern approaches of the Straits of Singapore. The Straits is about 50 nautical miles in length and at the eastern approaches is a mere eight nautical miles in width. The MPA of Singapore and Indonesian authorities were prompt in their actions to assist in the rescue operations and placing anti-pollution craft on standby.[24]

The former sank, after splitting in two as a result of the collision, about five nautical miles northwest of Indonesia's Batam Island in the Straits of Singapore. There were no reports of a spill from the *Thorco Cloud*, registered in Antigua and Barbuda, which had about 560 metric tonnes of bunker fuel. The vessel was allegedly carrying railroad tracks from Japan bound for a port in Brazil and cargo destined for a port in West Africa from Indonesia.

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24    Owners of *Thorco Cloud* alleged collision caused ship to sink, SEANEWS, 9 Feb. 2017

The owners of the *Thorco Cloud* filed a complaint on 27 January 2017, in the US District Court for Eastern District of Louisianna for an estimated US$110 million for damages alleged they sustained after the collision of their vessel with the MV *Stolt Commitment*. The former also alleged that the defendants failed to provide properly trained and competent crew and failed to properly navigate and control the ship. The plaintiffs requested a trial by jury and sought a warrant of arrest of the *Stolt Commitment* to be condemned and sold to satisfy any awarded by the court, plus interest, costs and attorneys' fees and all further relief as the court may deem just and proper.[25]
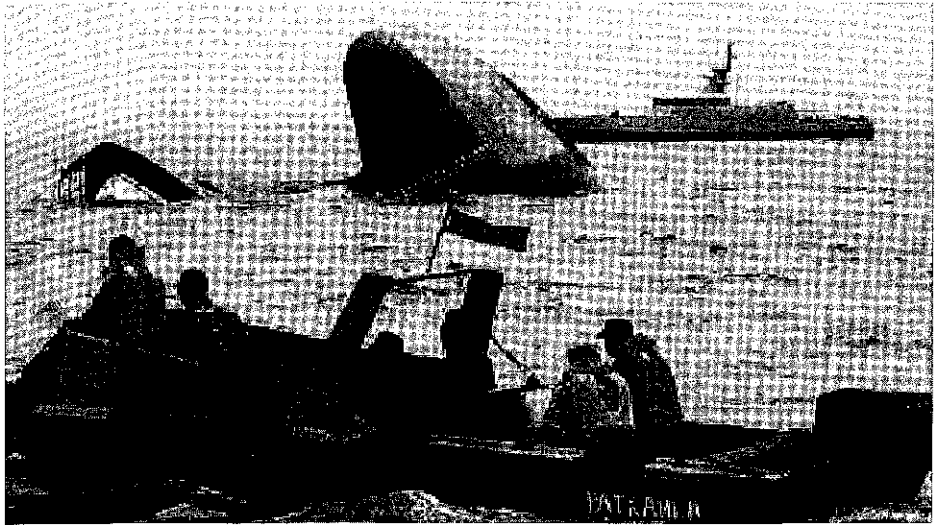


**Figure 3**: MV *Thorco Cloud* sinking. (Source: Shipping Watch; AP/POLFOTO)

An Indonesian cargo ship, MV *Avatar*, capsized in the Straits of Malacca, about 11 nautical miles, off Tanjung Keling (Cape Keling) on Wednesday morning, 14 June 2017 with 15 crew members on board. The captain was found deceased in a life raft; the 14 other members of the crew were rescued by the MV *Undine*, Swedish-flagged ship, which was directed to assist in the operations. The Malaysian Maritime Enforcement Agency (MMEA) received a report from the marine department about the incident at 9.25am and deployed a rescue boat and helicopter to the scene. MV *Avatar*, which was a 57-metre long ship; it was initially half submerged but later sunk completely due to strong waves. The capsizing may have been caused by bad weather and strong waves.[26]

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25     Reports of the incident were published by the Malaysian Maritime Enforcement Agency. https://www.channelnewsasia.com/news/asia/2-missing-after-indonesian-container-ship-capsizes-in-malacca-8945496

26     Media reports of the incident was available in regional newspaper and BBC World News
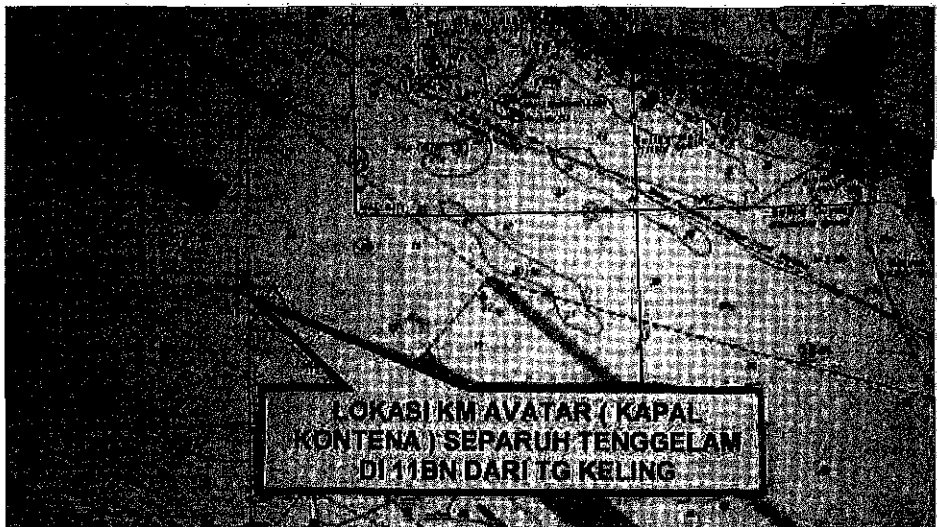
**Figure 4**: Location of the sinking of MV *Avatar* (Source: MMEA)

On 21 August 2017, ten sailors on board US Navy guided-missile destroyer *USS John S McCain* died when the vessel collided with chemical tanker, *Alnic MC*. The collision occurred in the westbound lane of the TSS at the eastern approaches of the Straits of Singapore, within Singapore's Territorial Sea in Lat. 1° 24.158' N Lon 104° 26.326'E, about 4.6 nautical miles NNE of Horsburgh Lighthouse (Pedra Branca).[27]

As a result of the collision, the *Alnic MC* sustained damages to its starboard bow. There was no report of pollution from this ship. The incident occurred in the pre-dawn hours and weather conditions were allegedly partly cloudy, visibility greater than 10 nautical miles, sea calm and a 1.5 knot current running in a north-easterly direction. (Figure 5) The conclusion in an official report issued by the US Navy noted that the collision happened because of a sudden alteration of course to 'Port' (left-hand) by the USS *John S McCain* which caused the ship to head into the path of the MV *Alnic MC*.

The official report[28] stands in contrast with the false information that was given to the public by the authorities and/or the media at the time of the event. The present author had followed the event with particular interest as part of his ongoing research on maritime issues whilst based in Kuala Lumpur in August 2017. Here was a classic case of false news!

On 13 September 2017, *JBB De Rong 19*, a Dominican-registered dredger collided with *Kartika Segara*, an Indonesia-registered product tanker. Four of *JBB De Rong's* crew of 12 were killed. The *JJB De Rong 19*, capsized off Sisters' Island, Singapore.[29]

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27    Safety Investigation into Collision between *Alnic MC* and the USS *John S McCain*, Ministry of
      Transport, Singapore, 8 march 2018
28    Reported in regional media and *World Maritime News*, 13 September 2017
29    ReCAAP ISC Weekly Piracy Report 22-28 May 2018. https://safety4sea.com/ <3/6/18>

Pre-2004 a number of marine accidents were attributed to acts of armed-robbery and piracy.
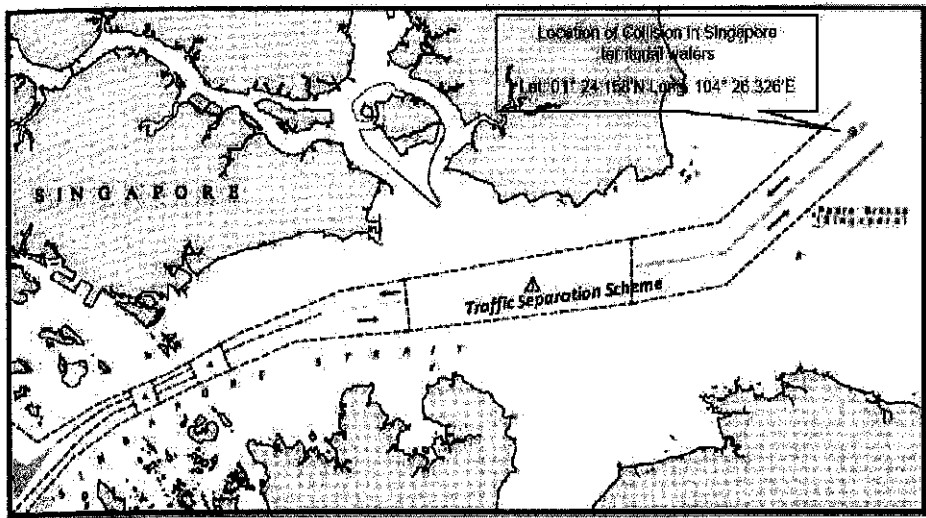


**Figure 5:** The location of collision on 21 August 2017

## ARMED-ROBBERY, HIJACKING, PIRACY AND TERRORISM

One of the concerns for mariners plying the Straits of Malacca and Singapore is the increasing professionalism of the pirates – call it armed-robbery if it fits the definition – or criminal gangs. Most of the goods stolen by the pirates of Southeast Asia were liquid items such as gasoline, palm oil, bio-fuel of liquid gas. The transportation of such products on the high seas requires a level of logistical expertise which the pirates have mastered over the years. Finding buyers for the stolen good requires forgery of the paper work or e-commerce which is part of a larger criminal activity.

The 'pirates' may comprise eight members that target a ship (ideally a slow-moving vessel); overpower the crew; interrupt the ship's communication system; and, transfer the stolen goods to a 'phantom ship'. Piracy was an issue in the regional seas until 2004. Thereafter, for about 12 years the focus shifted to the Somali Sea and Gulf of Aden and further west to the Atlantic coast of Africa. By early 2018, there are reports of potential acts of piracy within the Southeast Asian region and actual attempts on ships within the Straits of Malacca and Singapore.

In its *Weekly Piracy Report* of 22-28 May 2018,[30] ReCAAP ISC informed its readers of four incidents of armed-robbery and piracy against ships in Southeast Asian seas. Three incidents were in Indonesia's internal waters, the fourth was off Chittagong Anchorage. The first incident occurred on the MV *Bigroll Beaufort* at the eastern approaches of the Straits of Singapore, northeast of Pulau Bintan, on 30 April 2018 at around midnight local time.

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30    ReCAAP ISC Weekly Piracy Report 22-28 May 2018. https://safety4sea.com/

The second incident was on a product tanker, MV *Kirana Santya*, on 16 May 2018 whilst the ship was at anchor at Tanjung Uban Anchorage within the strait between Pulua Bintan and Pulau Batam. The third case involved the bulk carrier *Clover Colossus* which was anchored off Merak, Pulau Java in the vicinity of the northern approaches to the Sunda Strait (Selat).

## SUMMARY

The Straits of Malacca and Singapore is the world's busiest shipping lane, and the congested traffic in the narrow passageway makes it difficult for vessels to navigate especially with the volume of intra-strait traffic and small commercial craft. Singapore's anchorage facilities appear to be crowded at all times and the TSS in the vicinity is continuously busy with ships entering Singapore and others passing the port and Island State. Indeed, at any one time there are about 1,000 ships in the Port of Singapore. A ship arrives or leaves the port every two to three minutes. Annually, 130,000 ships call in at Singapore

Apart from merchant vessels, it is also common for navy ships to go through this area given that Singapore is a 'port of call' for navy ships from many countries including China and the United States. The high traffic, coupled with the narrow lanes, makes the Straits of Malacca and Singapore relatively more challenging to navigate. To manage the high traffic volume, the Straits of Malacca (in part) and Singapore (wholly) is governed by a regime known as the Traffic Separation Scheme (TSS), where vessels going towards the same direction stay on a specific traffic lane.

Oil shipments through the Strait of Malacca supply China and Indonesia, two of the world's fastest growing economies. The Strait of Malacca is the primary chokepoint in Asia, and in recent years, between 85 and 90 per cent of annual total petroleum flows through this chokepoint were crude oil. The Strait of Malacca is also an important transit route for LNG from Persian Gulf and African suppliers, particularly Qatar, to East Asian countries with growing LNG demand. The biggest importers of LNG in the region are Japan and South Korea.

At its narrowest point in the Phillips Channel of the Singapore Strait, the Strait of Malacca is only about 0.8 nautical mile wide, creating a natural bottleneck with the potential for collisions, grounding, or oil spills. According to the International Maritime Bureau's Piracy Reporting Centre, piracy, including attempted theft and hijackings, is a threat to tankers in the Strait of Malacca.

Nearly one-third of the 61 per cent of total global petroleum and other liquids production that moved on maritime routes in 2015 transited the Strait of Malacca, the second-largest oil trade chokepoint in the world after the Strait of Hormuz. Petroleum and other liquids transiting the Strait of Malacca increased for the fourth time in the past five years in 2016, reaching 16 million barrels per day (mbpd).

The Strait of Malacca, which flows between Indonesia, Malaysia, and Singapore, connects the Indian Ocean with the Pacific Ocean through the South China Sea. It is the shortest sea route between Persian Gulf suppliers and key Asian markets. Sea-borne trade remains the

most energy-efficient and environmentally-friendly mode of transporting cargo.

Increasing piracy, shipping accidents and political disputes make the Straits of Malacca and Singapore and adjacent seas a dangerous place for seafarers. The region can boast some of the biggest shipping trade routes with around 80 per cent of global trade is transported by sea, with nearly 60 per cent passing through Asian ports.

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3. Joe Baker, 'Is Southeast Asia home to the most dangerous waters in the world?'14 March 2018, Ship Technology, https://www.ship-technology.com <accessed 1 June 2018>

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11. Malaysian Maritime Department statistics. Readers may be interested in reading Spurring National Growth, 2017. The present author was a member of the MIMA Team that assisted in the compilation of the volume which promotes the Department's role in maritime trade.

12. Information on maritime trade within SOMS sourced from the Malaysian Marine Department.

13. Information contained in Tables 5 and 6 derived from World Shipping webpage.

14. For more information the reader is directed to the IMO's webpage.

15. Details of the MEH are contained in Spurring National Growth, 2017

16. Letter of Intent from OMC International to International Chamber of Shipping. Available on webpage of OMC International <accessed 4 June 2018>

17. See Benny S Tabalujan 'The New Indonesian Company Law', U.Pa.J.Int'l Econ.L. Vol 17:3, pp. 883-908

18. The Maritime Conventions Act 1911(https://sso.agc.gov.sg/Act/MCA1911)

19. For further details on the Convention see www.imo.org/

20. See Laws of Malaysia Act A1393 www.federalgazette.agc.gov.my <accessed 5 June 18>

21. See Nairobi International Convention on Removal of Wrecks www.imo.org

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25. Reports of the incident were published by the Malaysian Maritime Enforcement Agency. https://www.channelnewsasia.com/news/asia/2-missing-after-indonesian-container-ship-capsizes-in-malacca-8945496

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30. ReCAAP ISC Weekly Piracy Report 22-28 May 2018. https://safety4sea.com/

## APPENDIX I

The dredger, *Cai Jun 3*, registered in Panama, capsized sometime between 13 and 16 March 2017 and subsequently sank in Singapore's Territorial Sea off Horsburgh Lighthouse. Source: *Vesselfinder* 16 March 2017; MPA *NtM* Ed 3B 27T, 16 March 2017

The bulk carrier *Lyric Poet*, registered in Bahamas, ran aground on 24 March 2017, about 50 nautical miles north of Pulau Beiltung, Malaysia. It was re-floated on 10 May 2017. Source: *Sea News*, 12 May 2017

Cargo ship *Bhaita Jaya Samudra*, registered in Indonesia, collided with MV *Elizabeth* (Indonesian flagged) and sank off Damar Island, Indonesia on 8 April 2017.Source: *Maritime Herald* 8 April 2017

KD *Rahmat*, Royal Malaysian Navy frigate sank at Lumut Naval base on 3 June 2017. Source: RMN Navy News

KM *Avatar*, Indonesian registered, capsized and sank in Malacca Strait on 14 June 2017 Source: *World Maritime News*, 17 June 2017

Bulk carrier MV *Kutai Reya Dua*, Indonesian flagged, was driven ashore (by wind?) on Pulau Buru, Indonesia. Source: *Sea News*, 19 June 2017

Tanker *Aquaris* (or Putri Sea), registered in Equatorial Guinea, exploded and sank about 4.6 nautical miles north west of Tanjung Pengelih, Malaysia. Six members of the crew reported missing at the time of the incident. Source: *World Maritime News*, 19 June 2017; *Maritime Herald* 19 June 2017

USS *John S McCain* collided with *Alnic* MC (Liberia) off the coast of Singapore at the eastern approaches to the Straits of Singapore on 21 August 2017. Ten sailors of the US navy were killed and five were injured. Source: *Star*, NST, *Straits Times*; New Straits Times; *BBC World News*, 21 -24 August 2017

Dredger *JJB De Rong* 19, Dominican flagged, collided with Kartika Segara (Indonesia) and capsized off Sisters' Island, Singapore on 13 September 2017. Five of her 12 crew members were killed.Source: *World Maritime News*, 13 September 2017

Dredger *JJB Yu Hang* 258, Dominican flagged, foundered in the Malacca Strait, off Parit Jawa, Malaysia on 5 November 2017. The crew, numbering 18 were rescued. Source: *Fleetmon* 7 November 2017

The Ro-Ro Ferry Pulau Pinang, Malaysian flagged, was driven ashore at George Town, Penang on 5 November 2017. Source: *Fleetmon*, 6 November 2017

## APPENDIX II: IMO CONVENTION AND THE STRAITS STATES
Status as at 14 May 2018 (x= ratification; d=denunciation)

| Name of Convention/Protocol | Indonesia | Malaysia | Singapore |
|---|---|---|---|
| IMO Convention 48 | x | x | x |
| SOLAS Convention 74 | x | x | x |
| SOLAS Protocol 78 | x | x | x |
| SOLAS Agreement 96 | - | - | - |
| LOAD LINES Convention 66 | x | x | x |
| LOAD LINES Protocol 88 | x | x | x |
| TONNAGE Convention | x | x | x |
| COLREG Convention 72 | x | x | x |
| CSC Convention 72 | x | - | - |
| CSC Amendments 93 | | | |
| SFV Protocol 93 | | | |
| Cape Town Agreement 2012 | | | |
| STCW Convention 78 | x | x | x |
| STWC F Convention 95 | | | |
| SAR Convention 79 | x | - | x |
| STP Agreement 71 | x | | |
| SPACE STP Protocol 73 | x | | |
| IMSO Convention 76 | x | x | x |
| IMMARSAT OA 76 | x | x | x |
| IMSO Amendments 2006 | | | |
| IMSO Amendments 2008 | | | |

| | | | |
|---|---|---|---|
| FACILITATION Convention 65 | x | | x |
| MARPOL 73/78 (Annex I/II) | x | x | x |
| MARPOL 73/78 (Annex III) | x | x | x |
| MARPOL 73/78 (Annexe IV) | x | x | x |
| MARPOL 73/78 (Annexe V) | x | x | x |
| MARPOL Protocol 97 ( Annexe VI) | x | x | x |
| LONDON Convention 72 | | | |
| LONDON Convention Protocol 73 | | | |
| INTERVENTION Convention 69 | | | |
| INTERVENTION Convention Protocol 69 | | | |
| INTERVENTION Protocol 73 | | d | d |
| CLC Convention 69 | x | - | x |
| CLC Protocol 76 | | x | x |
| CLC Protocol 92 | x | - | |
| FUND Protocol 76 | | | |
| FUND Protocol 92 | | x | x |
| FUND Protocol 2003 | | | |
| NUCLEAR Convention 71 | | | |
| PAL Convention 74 | | | |
| PAL Protocol 76 | | | |
| PAL Protocol 02 | | | |
| LLMC Convention 76 | | | x |
| LLMC Protocol 96 | | x | |

| | | | |
|---|---|---|---|
| SUA Convention 88 | | | |
| SUA Protocol 88 | | | x |
| SUA Convention 2005 | | | |
| SUA Protocol 2005 | | | |
| SALVAGE Convention 89 | | | |
| OPRC Convention 90 | | x | x |
| HNS Convention 96 | | | |
| HNS Protocol 2010 | | | |
| OPRC/HNS 2000 | | x | x |
| BUNKERS Convention 01 | x | x | x |
| ANTIFOULING 01 | x | x | x |
| BALLAST WATER 2004 | x | x | x |
| NAIROBI WRC 2007 | | x | x |
| HONG KONG Convention | | | |

# Future of the Global South (Some Critical Foreign Policy Considerations)

Professor Dr. Anis H. Bajrektarevic

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## INTRODUCTION

Economic downturn; recession of plans and initiatives; systematically ignored calls for a *fiscal and monetary justice for all*; €-crisis; Brexit and irredentism in the UK, Spain, Belgium, France, Denmark and Italy; lasting instability in the Euro-Med theatre (debt crisis of the Europe's south – countries scrutinized and ridiculed under the nickname PIGS, coupled with the failed states all over the MENA); terrorism; historic low with Russia; influx of predominantly Muslim refugees from Levant in unprecedented numbers and intensities since the WWII exoduses; consequential growth of far-right parties that are exploiting fears from otherness which are now amplified with already urging labour and social justice concerns, generational unemployment and socio-cultural anxieties…The very fundaments of Europe are shaking.

Strikingly, there is a very little enhanced public debate in Europe about it. What is even more worrying is the fact that any self-assessing questioning of Europe's involvement and past policies in the Middle East, and Europe's East is simply off-agenda. Immaculacy of Brussels and the Atlantic-Central Europe-led EU is unquestionable. Corresponding with realities or complying with a dogma?

One of the leading figures of European Renaissance that grossly inspired European renewal, Dante, puts Prophet Muhamed to the 8th circle of his famous *Inferno*. The only individuals below Muhamed were Judas, Brutus, and Satan. "Islam was seen as the negation of Christianity, as anti-Europe…and Muhammed as an Antichrist in alliance with the Devil…" as Rana Kabbani noted in her luminary piece *Imperial Fictions*.

However, both religions trace their origins back to Abraham. They both lived in harmony (or at least they cohabitated for centuries within the MENA proper, notably in Lebanon, Syria and Iraq). Why was than there no harmonious relationship between Christian Europe and the Middle East? Was Europe opting to repress the Muslims in order to artificially generate a homogenous European self? No enemy at gate, no unity at home?

This is a story of the past centuries – one may say. Still, absence of any self-reflection on the side of the EU towards its policy in the Middle East today, makes it worth to revisit some of the bleak chapters of European history, and the genesis of its pre-secular and secular thoughts.

## CIVITAS DEI BRUSSELS: EXTRA EURO-ATLANTICUM, NULLA SALUS

Europe came to be known as 'Christendom' because its identity was imagined or invented as the Catholic in contradistinction to the Islamic Middle East and to the Eastern (*authentic, true* or Orthodox) Christianity. The Christianity, of course, originated in the Middle East not Europe. It was subsequently universalised (and, by spreading onto peripheral world, Europeanised) by the Balkan-born Roman Emperor, who spent much of his life on Bosporus and hence, was buried in Asia Minor – Constantin the Great. Surely, it was by the legal design of this glorious Emperor (fully backed by the Empire's political elite) that the city of Rome was (re)turned into an administrative periphery, politico-ideological outcast and geostrategic suburbia.

Therefore, the post Roman/Byzantine inauguration of 'Christendom' as a pure western culture necessitated a sustained intellectual acrobatics: Such an inversion (ideological and geopolitical periphery presenting itself as a centre) required both physical coercion and imposed narrative over the extensive space and time.[1]

This *a'la* card creation of Catholic Christendom or to say; Western Ummah, served two vital objectives: domestic and external. Both helped solidification of the feudal socio-economic and politico-military system, and based on that of a precolonial European collective identity. Domestically, it served for a coherent sense of selfhood (us vs. them paradigm): unity, oppression and obedience (*extra ecclesiam nulla salus* – no salvation outside the church, following the old Roman rational 'no world beyond *Limes* line', or the modern one: 'no prosperity outside the EU'). Externally, here was the justification for the subsequent military voyages and other forms of organized plunders, all coupled with a coercive societal identity.

A Catholic Renaissance Europe soon realized that, in order to effectively project itself – to physically and/or mentally colonise overseas territories – it needed either coercion (rarefying and assimilation), labour-camp detention (slavery) or final solution (physical extermination). These strategic dilemmas over the instruments to use, influenced and dominated European debates of the time. It brought about the conception of the 'noble savage' – who could be assimilated, versus the 'ignoble savage' who was destined for either labour detention or final solution. That coerce-or-exterminate dilemma of 'soul

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1    Transferring the official seat of the Roman Empire to Bosporus marked far more than just an event of the peripheral maturity; periphery pressing onto the center. It meant that – at the peak times of the Milan's Edict of Constantin the Great – the peripheral power successfully relocated itself closer to the centre; ideologically (metaphysically, religiously) but also geopolitically (physically, geographically). Not to insert itself (like during the subsequent Crusaders), but to transcend. This will be the first and the last such a successful move from Europe, in human history. With this adjustment, the Empire extended its life impressively – for over 1,000 years.

salvationists' even culminated within the pre-Westphalian Christian Ummah. It was in the famous Valladolid controversy of 1550, by which Juan Ginés de Sepúlveda's notion of the *ignoble savage* faced off against Bartolomé de Las Casa's view of the *noble savage*.

In both cases -- the claim was offered -- the Amero/Afro Asian Natives deserve salvation as they have a 'strong desire for it', but the views differed on whether the Natives' prone wishes exceeded their mental capacity to receive Christianity. Hence, the debates -- which were the roots and origins of the later liberal theories as well as the early precursors of the subsequent *regime change*, *humanitarian intervention* and *pre-emption* doctrines as well as the (one-sided ultimatum of) *EU Accession criteria* – always presupposed the inferiority (and passivity) of the Natives. Frankly, this remains a constant behaviour in international relations: E.g. views on Libya differed, as they differ today on Syria. However, what is common to all views is; nobody consults the local population and considers what they would like for themselves.[2]

## LEGITIMIZING THE IMPERIALISM OF IMAGINATION

In a course of subsequent centuries, the notion of final solution underwent through sophistication, and was eventually replaced by the combination of *cultural conversions/ submissions* (induced submissiveness), politico-military obedience and socio-economic apartheid. A subtle apartheid (that is easy to deny, but hard to prove) is usually better than the brute genocide (which is traceable and easily quantifiable). At the peaks of imperialism a *noble-ignoble savage* dilemma was embodied in an implicit and explicit racism. Debate was focused on a question whether the civilizational inferiority can be remedied through the imperial 'civilizing' mission, with social Darwinists and 'scientific' racists being rather pessimistic, but more solutions' instructive.[3]

The so-called central dilemma of liberalism (*Is it liberal to impose liberal values on illiberal societies*) was of course only an innocently looking tip of the large iceberg, of the tireless othering. This 'epistemology' was further soft-embedded in the so-called Peter Pan theory with a romanticised image of the Other as more childishly careless and helpless, than intentionally cruel and barbaric; being rather alluring, promiscuous and exotic. Essentially, the East as an innocently enveloped child who would never grow up. This, of course, gave rise to various binary categorisations, the *us-vs.-them/either-or* listings, in order to facilitate a decisive and long-lasting differentiation between the constructed West and the East.[4]

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2    For centuries, it follows the same matrix: doctrinated/induced inferiority, denouncing, attack, marginalization, passivation, plunder, indirect rule, remote control presence. Or, reduced to a binary code formula: victimisation-criminalisation. Namely: humanitarian intervention.

3    E.g. Cecil Rhodes, the 19th century British businessman and the architect of Apartheid, used to say that to be born an Englishman was to have 'won first prize in the lottery of life'. He is also remembered of the following: "I contend that we are the first race in the world, and that the more of the world we inhabit the better it is for the human race." Large part of colonial Africa was called after his name – Rhodesia, until rather recently, 1979.

4    Small surprise that the 43rd US President (un)famously claimed: 'you are either with us or against us'. His father, the 41st US President, strategized the Cold War and summarised its epilogue effectively: 'We win, they lose'. For the Atlantist's world all should be Kierkegaardian either-or binary.

The West as a constructed male vs. the East as a constructed female. A 'mind-oriented west vs. a 'body-oriented' east. Phallusoid peninsulas and islands of (Atlantic-Scandinavian) Europe vs. womb-like continental landmass of Afro-Asia; Erective and explosive vs. reflective and implosive; an Omnipresent (ever seafaring and trading) extroverted male, vs. humble, handcrafting, waiting female. masculine, phallusoid, progressively erected temporal linearity vs. periodic menstruation leakages of femininity in regressive cycles of stagnation. Clearly, anything beyond that was deemed inconsequential.

Physical, material, ideological, active, polarizing, determined vs. metaphysical, spiritual esoteric, atmospheric, inclusive, holistic. No wonder that all operationalized ideologies originated solely in Europe. What else, since no one ever, but Asians revealed any significant religion to the world.[5] Ideology penetrates, religion embraces.


## AGITPROP – NON-STOP

Gradually, the imperial civilizing mission (*Expansion is a path to Security*) got a new form It became a moral duty – R2P (*Responsibility to Protect*), as much as the parental duty is to raise their infant child. The handsome, masculine and strong Western *Prince Charming* has one duty – to emancipate his Eastern *Sleeping Beauty*. Giving a 'kiss' meant projecting the western physical military presence, Christianity and commerce.[6] Who was/is the Eastern *Sleeping Beauty*?

Rudyard Kipling's famous 1899 poem, *The White's Man Burden* offers some answers while describing the Eastern peoples as 'half-devil and half-child'. "The blame of those ye better / the hate of those ye guard" – Kipling warns and instructs, he describes and invites. In his classic novel of 1847, *Tancred – The New Crusade*, much celebrated British Prime Minister Benjamin Disraeli claims "A Saxon race, protected by an insular position, has stamped its diligent and methodical character of the century. And when a superior race, with a superior idea to Work and Order, advances, its state will be progressive....All is race"[7] Quite an intellectual acrobatics for Disraeli himself, who was neither Saxonic nor Christian.

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5    To this end: Inventive, proactive, scientific, rational, disciplined, self-controlled/self-constraining, sane, sensible, practical, 'mind-oriented', independent, and most of all paternal West. The East, of course, was on the opposite side and inferior: imitative, passive, superstitious, lazy, irrational, spontaneous, insane, emotional, exotic, body-oriented, dependent, and above all, child-like. Tall, matured 'masculinity' vs. immature and physically underdeveloped 'femininity'. The masculine phallus of military, industry, technology, shipping and trade that is welcomed, if not heartedly invited, to tap and drill the womb-like dwell of resources, while at the same time seeding the ideological semen of 'civilization'.

6    Most of the so-called International/Cross-continental Trade Pacts are closer to the capitulation agreements (like those that Britain imposed on China after the Opium Wars) than to any fair, balanced and mutually beneficial commercial accords. What a popular language of today calls barriers to trade are in fact the remaining socio-economic sovereign rights and other rarefied checks-and-balances national well-being instruments. "By hook or by crook" – as the Dutch East India Company formulated it for its XVII century business model moto.

7    The novel itself is named after the Norman leader of the First European Crusades, that later became the Prince of Galilee, and regent of the satellite Europe's state on the territory of today's Syria and Turkey – Antioch.

Over the period, western Catholic missionaries constituted one of the most powerful and influential lobbying voices for this civilizing mission. It was of course weaponisation of religion, a notorious misuse for ideological purposes. Same like today, fanatics then and there, were identified and further radicalised, to say 'inspired'. Eventually, they usually got hired as the AGITPROP/Ideological police by the predatory elites, hid behind the Feudal European states. Naturally, the justification was looked upon in any Biblical narrative. E.g. the re-invoking the Genesis story of Noah's three sons, and interpreting it as the 'duty' of Japheth (Europe) to absorb Shem (the Asians) and enslave and colonise Ham or Canaan (the Black Africa and Indianos of America). Amazingly, according to Genesis ch.9, verse 27: "God shall enlarge Japheth and he shall dwell in the tents of Shem, and Canaan shall be his servant".

The later Protestant revival infused the next wave of Christian missionaries to force this narrative into the matrix of colonisation as 'wilful' implants onto the minds and bodies of overseas peoples. Therefore, James Lorrimer and other architects of that-time political and international legal order divided the world in three segments: civilized White, barbarous Yellow and savage Black. *Yellows* were 'fallen people', inhabiting a *terra infantilis*, bound to civilize (what will later evolve into indirect rule, with a social apartheid in place). The area occupied by the *Blacks, Redbones* and *Aborigine* was a 'borderless space', *terra nullius* just to conquer and settle, since the indigenous have no 'birthright' to it (meaning: physical colonisation and direct rule, final solution and genocide).

Nevertheless, the unfinished business of 'salvation of the world' came back home; to Europe of the 20th century. Hitler's interpretation of it was: civilized *White* (Arian) – Central Europe; *Yellows* (fated for indirect rule, with 'only' social apartheid in place) – Atlantic and Scandinavian Europe; *Blacks* (whose territory is predestined for a physical colonisation by the superior race upon a decisive final solution and genocide) – all Slavic states of Eastern and Russophone Europe.

Indeed, ever since the 18th century on, European notion that 'civilization' was the monopoly of the West, clearly implied that there is no civilization – and therefore, salvation – outside the western model.[8] Famous historian Toynbee calls it "a secularized version of the primitive Western Christian proposition *Nemini salus ...nisi in Ecclesia.*" See for yourself how much current debates, sparked by the ongoing refugee crisis, follow the above patters.

Why does our West so vigilantly promote the so-called international trade all over the place? Answer is at hand; the US President George H.W. Bush clarifies: "No nation on Earth has discovered a way to import the world's goods and services while stopping foreign ideas at the border."

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8    To fully comply with this new myth, the civilizational late comer from the geographic suburbia (actually a remote peninsular extension of the huge Asian continental mass) started calling itself the Old Continent.

## TRIANGULAR ECONOMY OF OTHERING

There is a consensus within the academic community that the critical factor in redefining the world's periphery (from a sub-permafrost) – Europe, as the advanced West was the expansion of its strategic depth westward to the America upon 1492. This enabled the so-called triangular transcontinental trade, a brutal instrument imposed by Europeans: Enslaved Africans shipped to America in exchange for gold and silver from there to Europe, in order to cover massive European deficits made by extensive imports of the cutting-edge technologies, manufactured products, other goods and spices from a that-time superior Asia and the Middle East.[9]

The Afro-America yields were so colossal for Atlantic Europe that many scholars assume the so–called Industrial revolution rather as an evolutionary anomaly than a natural socio-technological process of development, which was primarily pivoting in (Sino-Indian) Asia.[10] Such a rapid shift from a peripheral status to an 'advanced civilization' of course necessitated a complete reconstruction of western identity. This acrobatics –in return– caused the rift in Europe and enhanced the Continent's further split on two spheres: the Eastern/Russophone Europe – closer to and therefore more objective towards the Afro-Asian realities; and the Western (Atlantic/Scandinavian/Central) Europe, more dismissive, self-centred and ignorant sphere.

While the Atlantic flank progressively developed its commercial and naval power as to economically and demographically project itself beyond the continent, the landlocked Eastern Europe was lagging behind. It stuck in feudalism, and involuntarily constituted a *cordon sanitaire* to Islamic Levant/south and the Russo-oriental East. Gradually, past the 15th century, the idea of 'Western Europe' begun to crystallise as the Ottoman Turks and the Eastern Europeans were imagined and described as barbarians. During the 17th and 18th century, Atlantic Europe firmly portrayed itself as the prosperous West that borders 'pagan/barbarian' neighbours to its near east, and the 'savage subjects' to its south, west, and the mystical Far East. Consequently, we cannot deny a role that the fabricated history

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9    Historian Patrick Manning estimates that at least 8 million people were exported to Americas as slaves from the West Africa alone between 1700 and 1850. To this number, it has to be added at least 30% more that died in in the enslaving related struggles all over the Atlantic coast of Africa from a present-day Mali to Angola. Early French colonial records for the western Sudan; a large swath of western Africa (from Senegal via Mali and Burkina Faso, to Niger and Chad) accounted for over 30% of population being slaves as late as in 1900. Even Liberia – founded for freed American slaves – accounted up to one quarter of its population as slaves or in a slavery-like conditions, as late as in 1960s!

10   In order to illustrate a magnitude, let us note a following data: Starting from an early 16th century for consecutive 300 years, 85% of the world's silver production and 70% of the world's gold output came from the Americas. Further on, during the 17th, 18th and 19th century the role of Black slavery, slave trading, American Black slave-driven production centres and Negro markets, all significantly contributed to Atlantic Europe's agricultural and industrial 'breakthrough' – as we are celebrating it today. Even the US Founding Fathers were slaveholders (5 of the 7 principal ones: Benjamin Franklin, John Jay, Thomas Jefferson, James Madison and George Washington).

as well as the 'scientific' racism and its theories played in a formation and preservation of European identity construct.[11]

The Enlightenment was a definite moment in the reinvention of European identity. The quest came along with the fundamental question *who are we*, and what is our place in the world? Answering that led on to the systematisation, classification of *anthropogeographic inversion* and – frankly – to reinvention of the world. From the Renaissance to the Enlightenment, a kind of an intellectual apartheid regime was forming.[12] The rise of the West was portrayed as a pure virgin birth as John M. Hobson fairly concluded. Europeans delineated themselves as the (only or the most) progressive subject of the world history in past, presence and future, while the Eastern peoples (e.g. Asian as 'the people without history') were seen as inert, passive and corrosive.[13] While the Solar system 'became' heliocentric, the sake and fate of our planet turned plain – Europocentric. The *world is flat* mantra set the stage, turning all beyond Europe into a *sanitary corridor, no-fly-zone.*

"The idea of Europe found its most enduring expression in the confrontation with the Orient in the age of imperialism. It was in the encounter with other civilizations that the

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11   Explaining the notion of the Bantu Education Act of 1954, one of the chief architects of Apartheid the Dutch-born prof. dr. Hendrik Verwoerd, Prime Minister of South Africa bluntly spelled out the following in his speech of that year: "The Bantu must be guided to serve his own community in all respects (Bantustan). There is no place for him in the European community above the level of certain forms of labour ... For that reason it is to no avail to him to receive a training which has as its aim absorption in the European community while he cannot and will not be absorbed there." (Why Nations Fail, page 269)

12   This historical anomaly I describe as anthropogeographic inversion in which the periphery asserted itself into the center by periferising that center and managing to present itself as a center. Thus, our current geopolitical and ideological center resides on geographic peripheries of our planet (in the hands of late developmental arrivals, such as the UK, Scandinavia, Russia, Canada, the US, Japan, Australia, New Zeeland, Korea, Singapore). To achieve and maintain this colossal inversion was impossible without coercion over the space and time. Consequently, it necessitated a combination of physical and metaphysical (hard/coercion and soft/attraction) instruments: Physical military presence of the periphery in the center, combined with a tightly guarded narrative.

13   Undoubtedly, (western) Europe owes its prosperity to extension of its commerce and colonial expansion. But let's take a closer look: "The profitability of European colonial empires was often built on the destruction of independent polities and indigenous economies around the world, or on the creation of extractive institutions essentially from the ground up, as in the Caribbean islands, where following the almost total collapse of the native populations, Europeans imported African slaves and set up plantations systems. ... We will never know the trajectories of independent city states such as those in the Banda Islands, in Aceh, or in Burma would have been without the European intervention. They may have had their own indigenous Glorious Revolution. But this possibility was removed by the expansion of the Dutch East India Company. ... The British East India Company looted local wealth and took over, and perhaps intensified, the extractive taxation institutions of the Mughal rulers of India – coinciding with the massive contraction of Indian textile industry. The contraction went along with the de-urbanisation and increased poverty. It initiated a long period of reversed development in India. Soon, instead of producing textiles, Indians were buying them from Britain and growing opium for the East India Company to sell in China. ... The Atlantic slave trade repeated the same pattern in Africa. Many African states were turned into war machines intent on capturing and selling slaves to Europeans..." – noted Acemoglu and Robinson (Why Nations Fail, page 271-273).

identity of Europe was shaped. Europe did not derive its identity from itself but from the formation of a set of global contrasts. In the discourse that sustained this dichotomy of Self and Other, Europe and the Orient became opposite poles in a system of civilizational values which were defined by Europe." – notes Delantry.

Even the English word to determine, position, adapt, adjust, align, identify, conform, direct, steer, navigate or command has an oriental connotation. To find and locate itself opposite to Orient, means to <u>orient</u> oneself.

Feudal Europe had identified itself negatively against Levant and Islam. Clearly, it was an identity heavily resting on insecurity. Proof? An external manifestation of inner insecurity is always aggressive assertiveness.

Is this still alive or even operative? How it correlates today?

## AMBIENT, ANTI-ORIENT

Europe repeatedly missed to answer to the East and Middle East through a dialogue (instruments) and consensus (institutions) although having both (via CoE; OSCE's MPC; EU's ENP, Barcelona Process, etc.). For the last 25 years, it primarily responded militarily in the MENA (or/and with sanctions, which is a socio-economic warfare) – via 'Coalitions of the Willing'. However, for a rapidly economically and demographically contracting Europe, the confrontation does not pay off anymore. While practically still yesterday (by the end of WWII), four of the five largest economies were situated in Europe, today only one is not in Asia. None is in Europe.14 (Likewise, while the US economy contributed with 54% of the world output in 1945, today it hardly covers 1/3 of that share.)

Simply, the Old Continent is not a wealthy club anymore. It is a theater with a memory of its wealthy past. The EU has to learn how to deescalate and compromise. This is in its best interest, for the sake of its only viable future. Therefore, it is a high time for the Brussels-headquartered Europe to evolve in its views and acting.

If we are any serious, let us start by answering the following: Is the so-called Russian expansionism or MENA 'Islamo-fascism' spontaneous or provoked, is that nascent or only a mirror image of something striking in front of it? And after all, why the indigenous

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14    The moment of 'liberal truth' always comes from Atlantic. Thus, Ana Palacio who served both sides of Atlantic (as the former Spanish Foreign Minister and the former Senior Vice President of the Washington-based WB) – among many others – recently warned the Western Ummah: "After years of handwringing over Obama's strategic "pivot" to Asia, even as Russia was stirring up trouble in Ukraine, Europe is once again a strategic focus for the US. But the deeper message is far less encouraging. The US is acting because its European partners have not. This divergence is troubling. American engagement is necessary to provide momentum, but it is Europe's weight that has served as the critical mass required to move the world's liberal order in a positive direction. From the perspective of the European Union, the latest US security bailout raises the possibility that after more than two decades of growing prominence, Europe will lose its agenda-setting power." (part of quotation underlined by A.B.)

Europe's Muslims (those of the Balkans) and their twins, indigenous Christians of MENA (those of Levant) are now two identically slim shadows on a (bullet holes scarred) wall.

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# Foreign Policy Of Iranian President Mohammad Khatami (1997-2005) - Operational Code Beliefs As Sources Of Influence

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## ABSTRACT

This article explores operational code master beliefs of Mohammad Khatami (1997-2005) as possible causes for his characteristic foreign policy behavior. In this regard, the quantitative indicators of his beliefs (his subjective representation of reality of world affairs) are taken as appropriate explanatory factors using methodological and theoretical innovations represented by Verbs in Context System (VICS), Theory of Inferences about Preferences (TIP) and Theory of Moves (TOM). First, this study aims to uncover his subjective meanings of the situation in which he finds himself defined as his philosophical beliefs. The study also aims to expose his strategic orientation in world affairs that he finds the most appropriate to achieve his foreign policy goals known as his instrumental beliefs. In this respect, it seeks to address whether his master beliefs as cognitive constrains correspond to his foreign policy. Second, the study expands this scope with a broader framework to discuss his strategic orientation between conflict and cooperation and preference ordering between settlement, deadlock, submission and dominance using relevant theoretical propositions from TIP. It uses an average score of diverse 35 world leaders as the reference group to put his master beliefs into a wider perspective. In the last part, it extends data analysis with theoretical innovations represented by sequential game models in Brams's Theory of Moves. The study examines here his foreign policy outcomes between settlement and deadlock from his subjective games using his strategic preference. The core argument of this study reflects the cognitivist proposition that beliefs of Khatami matter in the explanation of his foreign policy behavior not addressed by other theoretical

perspectives from neorealist, constructivist or neoliberal approaches. Without denying possible influence of other causes, the study finds operational code beliefs of Khatami to have important reflections in assessing his foreign policy preference and outcomes.

## INTRODUCTION

### Khatami's Foreign Policy Views and Outcomes

Election to the Iranian presidency of Mohammad Khatami in 1997 indicated a period of modification in Iranian foreign policy. Evidence suggested that Khatami inaugurated a new discourse of dialogue in Iranian foreign policy in 1997. He also embodied more conciliatory approach toward other countries including Iranian opponents which resulted with more foreign policy settlements than deadlocks.

First, Khatami's vision with Arab countries demanded that Iran no longer try to impose its normative views on neighboring countries based upon mutual respect. It triggered the rise of the Iranian - Saudi rapprochement of 1997 that resulted with bilateral reconciliation. New foreign policy with key regional opponent has been enriched with different bilateral agreements. Iran and Saudi Arabia signed the Comprehensive Cooperation Agreement in 1998 and mutual Security Accord in 2001 (Altoraifi, 2012).

Second, Iran showed signs of gradually improving relations with key European countries. Khatami became president at a time when Iranian relations with European Union had deteriorated significantly owing to the verdict in April 1997 of the German Mykonos trial and the subsequent withdrawal of all EU ambassadors from Tehran (Shahriar, 2011). As Khatami denounced extremism and radicalism, European capitals praised new foreign policy from Iran. Khatami also withdrew long standing issue against Salman Rushdie. In February 1998, EU foreign ministers welcomed his approach and removed their sanctions on top level contacts with Iranian leadership in response to positive developments in the country. In the meantime, their ambassadors also returned back to Tehran to strengthen their diplomatic contacts. Their relations became finally more stable with political settlement that was reached by mutually rewarding engagement.

Third, Khatami's government also engaged with the United States multilaterally over the issue of Afghanistan. Low level meetings involving Iranian and the US diplomats had begun immediately after Khatami's inauguration (Murray, 2010). They gradually increased up to the level of foreign ministers towards the end of his first presidential mandate. His indirect diplomatic engagement also continued with the Bush administration following 9/11 terrorist attack. President Khatami was among the first world leaders to denounce the attacks as being "anti-Islamic and barbaric." His government also offered important assistance when attention moved from defeating the Taliban to instituting a new provisional government in Afghanistan. According to James Dobbins – the US special envoy to Afghanistan and America's senior official at the talks – no delegation was more helpful. Dobbins also highlighted positive role played by Iranian Foreign Minister Kamal Kharrazi (Murray, 2010). As argued, such sustained, coordinated cooperation between Iran and United States at the time of Khatami's presidency was unprecedented. Khatami finally

responded with accommodation policy to Iran's security dilemma as the US occupied Iraq in 2003. In the mid of his second presidential mandate, Iran offered diplomatic proposal to the US via Swiss Ambassador with attractive negotiating items that were rejected from the Washington. Murray (2010) called the document remarkable and noted that it was the most comprehensive document to have ever been offered for discussion from Iranian side.

Fourth, Khatami's government managed to skillfully handle the nuclear dossier from 2003 to 2005 by negotiating compromise with European troika (France, Germany and United Kingdom). His administration also pursued a more transparent approach with the International Atomic Energy Agency (IAEA). In this regard, his government made several conciliatory steps. Iran concluded Sa'ad Abad Declaration with the European troika in 2003. It reaffirmed that nuclear weapons have no place in Iran's defense doctrine and that its nuclear program has been exclusively in the peaceful domain (Arjomand, 2009). Following year, his nuclear negotiator Hassan Rouhani signed the Paris agreement to implement temporary suspension of uranium enrichment as a voluntary and confidence building measure. In return for Iran's commitments, the EU troika agreed to help Iran resolve its special difficulties within the IAEA (Mousavian, 2006). In addition, Iran was not referred to the UN Security Council and did not face international sanctions while Khatami was president (Hadžikadunić, 2014).

Overall, Khatami's name became synonymous with desire for change – much like Barack Obama in the 2008 presidential elections contest (Coughlin, 2009). His dialogue was designed to facilitate communicative action, which would eventually lead to more coexistence in the global arena (Tanzmini, 2009). He was also credited for trying to overcome the gloom of a 'clash of civilization' by encouraging an inclusive course (Ehteshami & Zweiri, 2007). Hooman Majd (2012, p. 2) referred to Khatami as the "father of the reform movement". Stephen Kinzer (2010, p. 207) referred to him as a "reform minded cleric". Ahmed Rashid (2010, p. 196) observed that Khatami created an immediate thaw in Iran's relations with the outside world as it opened up to the West, including its long time enemy the US, with the need for a 'dialogue between civilizations'.

The question is now how to assess his characteristic foreign policy? How to explain that his policy was friendlier? Why did Khatami reach important foreign policy settlements with other countries including opposing states? Explanatory factors from different theoretical perspectives and different levels of analysis can be of interest to the extent that they affect foreign policy decision-making (Hudson, 2007). This particular article brings specific idiosyncratic factors. It offers disclosure of his operational code beliefs as cognitive constrains and subjective representation of reality in foreign affairs. These beliefs can assess why individuals hold more or less friendly nature with their foreign policy opponents and why the strategy they consider as appropriate is more or less cooperative. An extended operational code analysis reveals strategic orientation of individuals between conflict and cooperation and their preference in world affairs.

Furthermore, preference orderings can disclose their foreign policy outcomes between settlement and deadlock. They can finally clarify why some decision makers reach foreign

policy settlements while the others stay in deadlock most of the time. This approach challenges the notion that political leadership explains relatively little of the variance in the decisions of states (Walker, 2003). In case of this article, it also challenges the notion that Iranian presidents explain relatively little of the variance in their foreign policy. The study proceeds on the assumption that Khatami with his cognitive constrains was instrumental in reaching his characteristic foreign policy outcomes.

## OPERATIONAL CODE BELIEFS IN FOREIGN POLICY ANALYSIS

Operational code analysis is a classical approach to foreign policy and international relations within the general cognitivist research program in world politics (Walker & Schafer, 2006). The key argument follows the recognition that the world does not exist independently from actors' beliefs, their subjective representation of reality of international politics and how they could best achieve their goals (Malici & Buckner, 2008). This knowledge of the actor's beliefs "helps the investigator to clarify the general criteria, requirements, and norms the subject attempts to meet in assessing opportunities that arise to make desirable gains, in estimating the costs and risks associated with them, and in making utility calculations" (George, 1969, p. 200). Operational code beliefs give key insights into the basis on which important decisions are made (Renshon, 2009). They are designed to identify leaders' most important views about international politics (Stuart & Starr, 1981-82). They also impact leaders' assessment of the situation before taking foreign policy action based on bounded rationality. In this regard, Louis Halle, a former State Department planner, writes that the foreign policy of a nation addresses itself not to the external world, as is commonly stated, but rather to "the image of the external world" that is in the minds of those who make foreign policy (George, 1969, p. 191).

Within operational code approach, Schafer and Walker ask: what the individual knows, what he / she feels and what he / she wants regarding the exercise of power. They question about the likely exercise of power by others and the most effective exercise of power by self (Schafer & Walker, 2006). These and other related questions are designed to identify leaders' perception of the use of power by others as diagnosis of the context for action and their likely and most effective strategy in using their own power in achieving their goals in international politics. While the former are external attributions (philosophical beliefs) that the leader makes about others, the latter are internal attributions (instrumental beliefs) that the subject makes regarding his or her best approaches to political action (Schafer & Walker, 2006). Because the exercise of power is a social phenomenon involving both the subject and the object of the exercise of power, operational code analysis identifies political beliefs about self and others and how they interact with one another (Schafer & Walker, 2006).

The first philosophical belief (P-1) is designed to indicate a leader's outlook to the universe which can be friendlier with maximum score of (+1) or hostile with maximum score of (-1). In essence, it identifies the use of power by others in the political universe. It appears to be of critical importance in shaping the character and regulating its impact on the actor's political behavior (George, 1969). In the classical Bolshevik belief system the "image of

the opponent" was perhaps the cornerstone on which much of the rest of their approach to politics was based (George, 1969, 201-202). The first instrumental belief (I-1) essentially focuses on leader's own tendencies for exercising his political power. The assumption of I-1 is that a leader that refers to his actions in his public statements as being more friendly or hostile likely views his strategy as cooperative with maximum score of (+1) or hostile with maximum score of (-1) (Schafer & Walker, 2006). Both of these beliefs are conceptualized as "master beliefs" based upon theories of cognitive consistency.

Considering quantitative approach, one uses here verbal descriptor categories for reading scores of Khatami as designed by Walker, Schafer and Young (2003). For example, if a leader (A) scored - 0.24 with P-1, he or she would have *somewhat hostile* belief in the nature of the political universe. If the same leader scored 0.29 with I-1, he or she would have *somewhat friendly* direction of his strategy. The interpretation of these two scores for the same leader would be as follows: a leader believes that the political universe is close to *somewhat hostile*, and he or she also believes that a *somewhat friendly* direction is the best strategy of his country (Walker, Schafer & Young, 2003). Verbal descriptor for two leading beliefs is presented in the Table 1 below:

**Table 1:** The verbal descriptor of P-1 and I-1

P-1: Nature of the Political Universe (hostile / friendly)

**Hostile**                                                                                      **Friendly**

| Extremely | Very | Definitely | Somewhat | Mixed | Somewhat | Definitely | Very | Extremely |
|-----------|------|------------|----------|-------|----------|------------|------|-----------|
| -1.0 | -.75 | -.50 | -.25 | 0.0 | +.25 | +.50 | +.75 | +1.0 |

I-1: Direction of Strategy (conflict / cooperation)

**Conflict**                                                                                  **Cooperation**

| Extremely | Very | Definitely | Somewhat | Mixed | Somewhat | Definitely | Very | Extremely |
|-----------|------|------------|----------|-------|----------|------------|------|-----------|
| -1.0 | -.75 | -.50 | -.25 | 0.0 | +.25 | +.50 | +.75 | +1.0 |

*Source*: Walker, S. G., Schafer, M., & Young, M. D. (2003). Profiling the Operational Code of Political Leaders. In Jerold M. Post (Ed.) *The Psychological Assessment of Political Leaders with Profiles of Saddam Hussein and Bill Clinton* (pp. 227-230). Ann Arbor: University of Michigan Press.

This particular interpretation may be more specific in a broader perspective when individual scores for P-1 and I-1 are compared with a reference group. In this part, the study explores whether there are essential differences, that is, whether the scores of Khatami in P-1 and I-1 are above (+) or below (-) the scores from the reference group. In this study, an average score of 35 world leaders is used from the study by Malici & Buckner (2005). This puts

Khatami's operational code into a broader perspective and provides a better sense of how he compares to a collection of diverse leaders. Theory of Inferences about Preferences postulates that strategic orientation of Khatami is ultimately the result of what he is inclined to do, in terms of conflict and cooperation (I-1), combined with how much power he perceives himself to have to do so (P-4a).

Equally, his perception of other actors' strategic orientation is the result of what he perceives other actors' want to do, in terms of conflict and cooperation (P-1) and how much power he perceives them to have in pursuing their objectives (P-4b) (Malici & Buckner, 2008; Walker, Schaffer & Young, 2003). As presented in the Table 2 below, a leader with scores of P-1 and I-1 higher than the reference group attribute cooperative strategies to self and others. If a leader scores higher with I-1 and below the reference group with P-1, then he attributes cooperative strategy to self and conflict strategy to others. At the same time, the study investigates whether Khatami's third master belief about his ability to control historical development (P-4), divided as self-control (P-4a) and control by others (P-4b), is one standard deviation above (>), or below (<), or within (=) one standard deviation of the mean for the norming group. By definition, when P-4a is more than one standard deviation from the norming group's mean, P-4b is more than one standard deviation from the mean in the opposite direction and falls within one standard deviation when P-4a is also within one standard deviation (Malici & Buckner, 2008, p. 790).

Prop. 1. If (I-1, P-4a) or (P-1, P-4b) is (+, <), then
Settle>Deadlock>Submit>Dominate=Appeasement
Prop. 2. If (I-1, P-4a) or (P-1, P-4b) is (+, =), then
Settle>Deadlock>Dominate>Submit=Assurance

Prop. 3. If (I-1, P-4a) or (P-1, P-4b) is (+, >), then
Settle>Dominate>Deadlock>Submit=Stag Hunt
Prop. 4. If (I-1, P-4a) or (P-1, P-4b) is (-, <), then
Dominate>Settle>Submit>Deadlock= Chicken

Prop. 5. If (I-1, P-4a) or (P-1, P-4b) is (-, =), then
Dominate>Settle>Deadlock>Submit=Prisoners',
Dilemma Prop. 6. If (I-1, P-4a) or (P-1, P-4b) is (-, >), then
Dominate>Deadlock>Settle>Submit=Bully

**Table 2:** Propositions from the Theory of Inferences about Preferences (Self/ Other)

Source: Marfleet, G., & Walker S. G. (2006). A World of Beliefs: Modeling Interactions among Agents with Different Operational Codes. In Mark Schafer and Stephen G. Walker (Ed.), *Beliefs and Leadership in World Politics: Methods and applications of operational code analysis* (p. 57). New York: Palgrave Macmillan.

For the last part, the article explores findings from the previous assessment. The logic and concepts of sequential game and formal modeling are combined with preference ordering of Khatami between settlement, dominance, deadlock and submission. Within this framework, data analysis is further advanced with subjective games of Khatami using the Theory of Moves (TOM) created by Steven J Brams (1994). With these subjective games, scope of operational code analysis of Khatami is extended beyond TIP. It is logical extension as the game theory is based on ordinal preferences. Combination of these preferences constitute the leader's dyadic subjective game in Self's operational code belief system as a 2 x 2 game matrix, which describes Self's possible choices toward Other and the corresponding choices of Other toward self. The agent's perception of the opponent's preferences may or may not accurately mirror opponent's real preferences. Regardless of whether or not mirroring occurs, the subjective games provide a framework for choice and action for the agent, thereby acting as steering mechanisms (Marfleet & Walker, 2006).

Here, the game is not conceptualized by using external factors as rationalist will suggest. It is conceptualized based on the nature of the game as perceived by the individual.

Any player has two strategies in these subjective games: Cooperative (CO) and Conflict (CF) (Walker & Schafer, 2006). The intersection of strategies by (self) and (other) leads to a stable outcome of equilibrium which is either at settlement or deadlock. Which one of these two outcomes is the more likely to happen depends on the rules of play (Walker & Schafer, 2006). In assessing Khatami's subjective game, the study uses rules from both sequential game theory with *Non-myopic equilibrium* known as the Theory of Moves and classical game theory with *Nash equilibrium*. While classical games and *Nash equilibrium* are associated with rationality of moves and their immediate effects, TOM solutions raises questions about the rationality of moving or departing from outcomes - at least beyond an immediate departure (Brams, 1994).

Brams (1994) illustrated different game models with different possibilities for moves and stable outcomes. There are 78 (2 x 2) strict ordinal games that are structurally distinct. Considering combinations implied by the Theory of Inferences about Preferences, there can be 12 possible game configurations divided as conflict and no-conflict formations (including game model/s of Khatami based on his scores). Marfleet and Walker (2006, pp. 59-60) illustrated those combinations in their modeling of interactions among players using four image orientations (+,+), (+,-), (-,+), (-,-) and three perceptions of control distribution (=,=), (>,<), (<,>). These game combinations are presented in the Appendix 1.

## PUBLIC VERBAL OUTPUT AND CODING PROCEDURE

This study uses the Verbs in Context System (VICS) to obtain belief scores for Khatami. VICS was designed as quantitative content analysis by which leaders' statements are systematically coded to produce useable data (Schafer & Walker, 2006). The premise for the system is that the way individuals speak about power relationships in the political universe will tell us much about their beliefs regarding the exercise of power (Schafer & Walker,

2006). VICS uses verbs as the unit of analysis and attempts to place them into context based on how the verb is used and the audience towards whom it is used (Walker, Schaffer & Young, 2003). There are several steps in the whole coding system. All these steps are presented and summarized in the Appendix 2. This study also uses software program called *Profiler Plus* for automated coding. This program codes and retrieves the verbs from selected public statements with the aid of an operational code dictionary.

The first philosophical belief for the nature of the political universe (P-1) that varies from - 1 (extremely hostile) and +1 (extremely friendly) is calculated by subtracting the number of negative verbs (-)[1] from the number of positive verbs (+)[2] attributed to others in public statements and dividing the result by the total number of negative and positive verbs. The balance between the frequencies of positive (+) and negative (-) verbs indicate the leader's beliefs about the cooperative or conflictual nature of politics and image of others (Schafer & Walker, 2006).

The same logic applies for positive or negative valences to self (I-1) representing a leader's strategic approach to political goals. A simple ratio of the frequency of positive to negative utterances that the leader makes about self in the political universe is computed (Walker, Schaffer & Young, 1998). Control over historical development (P-4) measures the locus of control attributed to self (P-4a) over historical development while the number of other attributions as a percentage of the total number of self and other attribution is the locus of control (P-4b) attributed to others (or 1 minus 4a). More words and deeds attributed to others mean that more control over historical development belong to them (Walker, Schaffer & Young, 1998).

## RESULTS AND INTERPRETATIONS

The following operational code results are based on a sample of ten transcripts from Khatami's public speeches and media interviews as presented in the Appendix 3. All selected public records were addressing foreign policy matters to international audiences. It contained his speeches at United Nations and other international forums and his interviews for major international media. In total, 28927 words from Khatami were entered into the *Profiler Plus* as automated content analysis software. They were machine-coded using the VICS coding procedures described earlier.

The reliability of the results is high because the coding process was automated and, therefore, perfectly reproducible. The validity of the results, as with any other similar study, is subject to the degree of generalizability from the sample to the population of public statements given by Khatami. Index scores for his operational code are presented in the Table 3 below:

Table 3: Operational code scores of Mohammed Khatami

| Index | Description | Khatami | Interpretation | |
|-------|-------------|---------|-----------------|---|
| P-1 | Nature of political universe (Image of others) | 0.312 | + 1.0 | Friendly |
| | | | – 1.0 | Hostile |
| P-4 | Control of historical development | 0.198 | 1.0 | High control |
| | | | 0.0 | Low control |
| I-1 | Approach to goals (direction of strategy) | 0.500 | + 1.0 | High cooperation |
| | | | – 1.0 | High conflict |

---

1 Verb attributions associated with appeals, promises and rewards.
2 Verb attributions associated with opposing, threats and punishments.

The VICS score for Khatami for the first philosophical belief (P-1) shows that he finds the nature of the political universe (the international context in which he finds himself) as more friendly than hostile. His P-1 result has been obtained as he referred to others with higher net frequency of positive verbs / attributions in his public statements. Khatami's result of the nature of political universe as more friendly appeared consistent with his observed foreign policy behavior. For example, Khatami's expectations from EU member countries to reduce isolation and make closer relations with his country are consistent with his friendlier score for others. His score even appeared harmonized with his expectations from United States in his first presidential mandate. As Khatami (1998) highlighted "a large number of educated and noble Iranians now reside in the US as representatives of the Iranian nation. This shows that there is no hostility between the two nations" (Amanpour, 1998). He also stated: "I respect the great American people…. The American civilization is worthy of respect. When we appreciate the roots of this civilization, its significance becomes even more apparent" (Amanpour, 1998).

With regards to his I-1 score, Khatami finds that cooperative direction is more appropriate strategy in achieving his foreign policy goals. This result has been obtained as he referred to his actions (reference to self) as more cooperative with higher net frequency of positive verbs / attributions in public speeches and interviews. In this regard, Khatami's score is corresponding with Iran's rapprochement with the international community in general and EU countries and Arab neighbors in particular. It is also consistent with more cooperative approach towards United States as Khatami recommended the exchange of professors, writers, scholars, artists, journalists, and tourists with that country in 1998. As argued, Khatami's dialogue was designed to facilitate communicative action, which would eventually lead to coexistence, tolerance and a degree of cooperation in the global arena (Tanzmini, 2009).

The interpretation of Khatami's P-1 and I-1 scores using verbal descriptor would be as follows: Khatami believes that the political universe is *somewhat* friendly, and he also believes that a *definitely* cooperation-oriented direction is the best strategy in this universe.

**Table 4:** P-1 and I-1 verbal descriptor for Khatami

P-1: Nature of the Political Universe (hostile / friendly)

| Hostile | | | | | | | | Friendly |
|---|---|---|---|---|---|---|---|---|
| Extremely | Very | Definitely | Somewhat | Mixed | Somewhat | Definitely | Very | Extremely |
| -1.0 | -.75 | -.50 | -.25 | 0.0 | +.25 | +.50 | +.75 | +1.0 |
| | | | | | K. | | | |

I-1: Direction of Strategy (conflict / cooperation)

| Conflict | | | | | | | | Cooperation |
|---|---|---|---|---|---|---|---|---|
| Extremely | Very | Definitely | Somewhat | Mixed | Somewhat | Definitely | Very | Extremely |
| -1.0 | -.75 | -.50 | -.25 | 0.0 | +.25 | +.50 | +.75 | +1.0 |
| | | | | | | K. | | |

In the following part, data analysis is advanced further to discuss his most likely foreign policy orientations between cooperation and conflict strategies in international politics using relevant theoretical propositions. The study discusses here his preference ordering between settlement, dominance, deadlock and submission using the Theory of Inferences about Preferences (TIP). As specified, his master beliefs are placed into larger perspective with other world leaders. Comparative results are shown in the Table 5 below:

**Table 5:** P-1, P-4 and I-4 scores of Khatami and the Norming group

| Index | Description | Muhammad Khatami | Norming group |
|---|---|---|---|
| **P-1** | Nature of political universe (Image of others) | 0.312 | 0.301 |
| **P-4** | Control of historical development | 0.198 | 0.224 SD=0.13 |
| **I-1** | Approach to goals (direction of strategy) | 0.500 | 0.401 |

Source for the Norming group results: Malici, A., & Buckner A. L. (2008). Empathizing with Rogue Leaders: Mahmoud Ahmadinejad and Bashar al-Assad. *Journal of Peace Research,* 45 (6), 790.

Khatami's P-1 score shows that he is slightly above (+) the mean score of the reference group. His score for I-1 again shows that Khatami is above (+) the mean score of an average leader. Finally, his P-4 score is within one standard deviation of the norming group.

By logic, his P-4a and P-4b are also within one standard deviation. These results define his own strategic orientation and preference ordering in international politics (I-1, P-4a). Furthermore, these results define his perceptions of other actors' strategic preferences (P-1, P-4b) regarding the same political outcomes. There are six possible propositions with related strategic orientations specified with the Theory of Inferences about Preferences. Based on their comparison with the reference group for strategic preferences of self (I-1, P-4a), this analysis shows that Khatami meets conditions specified in Proposition 2 in TIP. In this regard, he subscribes to an Assurance Strategy and his preference ordering is settlement (4), over deadlock (3), dominance (2), and submission (1).

Prop. 2. If (I-1, P-4a) is (+, =), then Settle>Deadlock>Dominate>Submit=Assurance

In this respect, the study finds Khatami to assure other actors in international politics and give priority to collaboration over other possible options. His proposition also suggests that he avoids dominance over others including total obedience by more powerful players. Regarding his typology, he is expected to establish goals within a framework that emphasizes shared interest. He also highlights those resources that establish a climate for negotiation and compromise.

Based on his comparison with the reference group for preferences of other actors (P-1, P-4b), this analysis shows that he perceives others to meet conditions specified in Proposition 2 in TIP. In this regard, he subscribes other actors to an Assurance Strategy with the same preference ordering. His proposition generally suggests that Khatami has rather reciprocal expectation from others. In his view, others are expected to give priority to shared interest as well.

Prop. 2. If (P-1, P-4b) is (+, =), then Settle>Deadlock>Dominate>Submit=Assurance

It is also recognized that Khatami's score for P-1 is only slightly above the norming group (0.312 versus 0.301) whereas his score for I-1 is a little more above the norming group (0.500 versus 0.401). In this respect, Khatami does not perceive his opponents to subscribe to an Assurance Strategy (P-1 & P-4b) as strongly as he subscribes himself to that strategy (I-1 & P-4a). In other words, he does not perceive every opponent state to prefer settlement all the time.

In the last part, the study advances data analysis from operational code beliefs of Khatami and his most likely strategies and preferences in international politics to discuss his subjective games. The study has been extended with methodological and theoretical innovations represented by the sequential game models in Brams's Theory of Moves. This theory elaborates what subjective game outcome is expected from Khatami between two possible options of settlement and deadlock. In other words, the study explores whether final stage of his subjective game is reflective of his foreign policy.

Previous analysis shows that Khatami subscribes to an Assurance Strategy, that is, a strategy of conditional cooperation. In his case, he prefers settlement (4) over deadlock (3), dominance (2), and submission (1). Khatami also perceives other states to prefer

cooperative strategy and choose settlement (4) over deadlock (3), dominance (2), and submission (1). His dyadic subjective game would look as follows:

|  | | **OTHER** | |
|---|---|---|---|
|  | | CO | CF |
| **SELF** | CO | (4, 4) | (1, 2) |
|  | CF | (2, 1) | (3, 3) |

|  | | **OTHER** | |
|---|---|---|---|
|  | | CO | CF |
| **SELF** | CO | Settle | Submit |
|  | CF | Dominate | Deadlock |

This model shows that both Khatami for (self) and Khatami for (others) subscribe symmetrically to an Assurance Strategy of conditional cooperation. This is one of those non conflict games from 78 game configurations in which players achieve their mutually best state (Brams, 1994, p. 215). In this particular game, both players obtain their best possible result of (4) by choosing cooperation. Their second best result of (3) is obtained if both players choose conflict. Their worst results are obtained if one chooses cooperation and the other chooses conflict. Respecting the rules of TOM and preference ordering for Khatami, Brams defines *non – myopic equilibrium* (stable end of the game) at *settlement* (4, 4) no matter what initial state is postulated among four sells in the game. This is also *Nash equilibrium* if rules from the classical game theory are applied. In this regard, both sequential and classical game theories bring Khatami to the same outcome. It is logical result as both players rank settlement as their highest ranked preference. As both players have stronger incentives to collaborate with each other, this outcome is superior to all other options (Crichlow, 1998). In this regard, with his VICS scores and his strategic preference, Khatami finds *settlement* as the most stable foreign policy outcome.

The study also considers the second subjective game model with Khatami considering his weaker perception of an Assurance Strategy and close proximity with a Prisoners' Dilemma for others (score difference between a Prisoners' Dilemma and Assurance strategy was 0.011 on the scale from -1 to 1). In this particular model, Khatami again follows an Assurance strategy for self with preference ordering of settlement (4) over deadlock (3), dominance (2), and submission (1). This time, we consider him to perceive his opponents (other) to choose conflict strategy (Prisoners' Dilemma) with preference ordering of dominance (4) over settlement (3), deadlock (3), and submission (1). His dyadic subjective game in this case would look as follows:

|  | | **OTHER** | |
|---|---|---|---|
|  | | CO | CF |
| **SELF** | CO | (4, 3) | (1, 4) |
|  | CF | (2, 1) | (3, 2) |

In this subjective game, Khatami obtains his best result of 4 by choosing cooperation if his opponent also chooses cooperation and second best result of 3 by choosing conflict if his opponent also chooses conflict. As argued for this game, the final outcome is not a function of one player's preferences orderings but the intersection of both players' preference orderings and the strategic calculations that flow from them. Under these rules of play allowing alternating moves, prior (pre-play) communication, and repeated plays of the game, settlement is the final stage and *non –myopic equilibrium* (4, 3) when deadlock is the initial state. As specified, this equilibrium is conditional to mutual communication, dialogue and understanding. Without this, *Nash equilibrium* is at deadlock (3, 2) from which no player would have an incentive to depart unilaterally. Nash solution is the actual outcome of the game if the players are *myopic* as opposed to *non – myopic* games with TOM. As argued by Brams (1994, pp. 224-225), deadlock as *Nash equilibrium* (3, 2) is inferior outcome (Pareto-inferior state), because there is another state that is better for all players, or better for at least one player and not worse for the other.

In both of these subjective games for Khatami, the *non – myopic equilibrium* is at *settlement*. The only difference is that Khatami as alter ego player in the first model (4, 4) has stronger incentive than Khatami as alter ego player in the second model (4, 3). In other words, settlement with Khatami was easier and faster when other players were ready to communicate. This communication between players can last for 2-3 years as shown in some real foreign policy cases such as Iranian negotiation with EU troika. In some other cases, settlements may never be reached as the other party is not interested in negotiation as was the case with Iranian grand deal proposal to United States in 2003.

With regards to these games, Khatami presents himself as insightful player ready to communicate with other actors and get reward of his cooperative strategy. This strategic orientation has been recognized to be part of his general belief system based on his public verbal outputs that have been content analyzed with VICS.

## CONCLUSION

Foreign policy analysis can be used for descriptive, explanatory or predictive purposes. This particular article explained the facts already established for Khatami's foreign policy. It demonstrated that his characteristic behavior did not exist independently from his beliefs as cognitive constrains about world affairs and how best he could achieve his goals considering his perception of external reality. It also demonstrated that his scores (master

beliefs), strategic preference and stable conclusion from his subjective games corresponded with his collaborative policy and various diplomatic settlements that he reached with outside actors throughout his presidency.

First, the study finds that his soft diplomacy and settlement with European countries at the beginning of his first presidential mandate was in line with his operational code. As specified by TOM, improvement of their relations was conditional to mutual communication, dialogue and understanding. While Khatami denounced extremism and radicalism, European capitals praised new foreign policy from Iran in 1997. As both sides kept their communication and negotiation active respecting rules of TOM, they gradually approached towards mutually agreed settlement as their most preferred outcome.

Second, the study finds Khatami's friendlier diplomacy with Arab neighbors harmonized with his results (his master beliefs, his assurance strategy in international politics and his *non – myopic equilibrium* from his subjective game that resulted in settlement). Mutual communication, dialogue and understanding have also been instrumental in upgrading their relations. It demonstrated that Khatami with his cognitive beliefs approached towards mutually agreed settlement as the most preferred result. The final outcome between Iran and regional opponents was conclusion of important bilateral agreements and reaching more mutual understanding.

Third, the article finds diplomatic undertakings between Khatami's administration and EU troika to resolve issues about Iranian nuclear program to be in line with his scores. Towards the end of his second mandate, his government engaged France, Germany and the UK with an intention to reach more understanding on these issues. Throughout that time, both sides kept their communication and negotiation alive respecting rules of TOM. They successfully approached towards mutually agreed settlement (Sa'ad Abad and Paris agreements) as their most preferred outcome reflecting Khatami's most stable subjective game result.

Fourth, the study also finds illustrative Khatami's collaborative diplomacy with United States over Afghanistan that lasted from 1997 to 2002. While it was response of Iranian state in general, it strongly reflected Khatami's support of such policy and direct involvement of his foreign policy administration. His diplomats also played a pivotal role in the formulation of the post-Taliban government of Hamid Karzai at the 2001 Bonn Conference. In this regard, Khatami's assurance strategy and settlement as *non – myopic equilibrium* from his subjective game were consistent with his foreign policy behavior that we observed in this particular issue.

His government also intended to work on broader agreement with the United States in 2003 which reflected his preference ordering for self. However, it did not result in any settlement as the other side was not interested in this negotiation. It also revealed why Khatami does not perceive his opponents to subscribe to an Assurance Strategy as strongly as he perceives his cooperative direction as better strategy in the political universe. In this regard, we have recognized the value of his P-1 which is only slightly above the norming group (0.312 versus 0.301).

Such consistency between his operational code from one side and characteristic foreign policy behavior from the other is hardly questionable. With these findings, the study concludes that beliefs of Khatami were certainly important factors in explaining his foreign policy. It is also acceptable that these human factors were possibly not the only predictors of Iranian foreign policy. In this regard, his cognitive beliefs serve as good contribution to other diversified explanations.

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## Appendix 1: Subjective games for 12 operational code models

### (1) Appease (+, <) vs. Exploit (+, >) or Bully (−, >)

| SELF | OTHER CO | OTHER CF | | SELF | OTHER CO | OTHER CF |
|---|---|---|---|---|---|---|
| CO | (4, 4) | (2, 3) | | CO | (4, 2) | (2, 4) |
| CF | (1, 1) | (3, 2) | | CF | (1, 1) | (3, 3) |

### (2) Reward/Deter (+, =) vs. Reward/Deter (+, =) or Compel/Punish (−, =)

| SELF | OTHER CO | OTHER CF | | SELF | OTHER CO | OTHER CF |
|---|---|---|---|---|---|---|
| CO | (4, 4) | (1, 2) | | CO | (4, 3) | (1, 4) |
| CF | (2, 1) | (3, 3) | | CF | (2, 1) | (3, 2) |

### (3) Exploit (+, >) vs. Appease (+, <) or Bluff (−, <)

| SELF | OTHER CO | OTHER CF | | SELF | OTHER CO | OTHER CF |
|---|---|---|---|---|---|---|
| CO | (4, 4) | (1, 1) | | CO | (4, 3) | (1, 4) |
| CF | (3, 2) | (2, 3) | | CF | (3, 2) | (2, 1) |

### (4) Bluff (−, <) vs. Exploit (+, >) or Bully (−, >)

| SELF | OTHER CO | OTHER CF | | SELF | OTHER CO | OTHER CF |
|---|---|---|---|---|---|---|
| CO | (3, 4) | (2, 3) | | CO | (3, 2) | (2, 4) |
| CF | (4, 1) | (1, 2) | | CF | (4, 1) | (1, 3) |

(5) Compel/Punish (–, =) vs. Reward/Deter (+, =) or Compel/Punish (–, =)

| | | OTHER | | | | OTHER | |
|---|---|---|---|---|---|---|---|
| | | CO | CF | | | CO | CF |
| | CO | (3, 4) | (1, 2) | | CO | (3, 3) | (1, 4) |
| **SELF** | | | | **SELF** | | | |
| | CF | (4, 1) | (2, 3) | | CF | (4, 1) | (2, 2) |

(6) Bully (– , >) vs. Appease (+, <) or Bluff (–, <)

| | | OTHER | | | | OTHER | |
|---|---|---|---|---|---|---|---|
| | | CO | CF | | | CO | CF |
| | CO | (2, 4) | (1, 1) | | CO | (2, 3) | (1, 4) |
| **SELF** | | | | **SELF** | | | |
| | CF | (4, 2) | (3, 3) | | CF | (4, 2) | (3, 1) |

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## Appendix 2: VICS coding system

### 1.IDENTIFY THE SUBJECT AS
SELF OR OTHER

### 2.IDENTIFY THE TENSE OF THE TRANSITIVE VERB AS
PAST PRESENT FUTURE
AND IDENTIFY THE CATEGORY OF THE VERB AS
POSITIVE (+) OR NEGATIVE (+)

| | | |
|---|---|---|
| WORDS | APPEAL, SUPPORT (+1) | OPPOSE, RESIST (-1) |
| | OR | OR |
| | PROMISE BENEFITS (+2) | THREATEN COSTS (-2) |
| DEEDS | REWARDS (+3) | PUNISHMENTS (-3) |

### 3. IDENTIFY THE DOMAIN AS
DOMESTIC OR FOREIGN

## 4. IDENTIFY TARGET AND PLACE IN CONTEXT

A quote taken from President Carter's January 4, 1980 address to the nation: "Massive Soviet military forces have invaded the small, non-aligned, sovereign nation of Afghanistan..."

1. Subject. The subject is "Massive Soviet military forces" which is coded as other, that is, the speaker is not referring to his or her self or his or her state.

2. Tense and Category. The verb phrase "have invaded" is in the past tense and is a negative deed coded, therefore, as punish.

3. Domain. The action involves an actor (Soviet military forces) external to the speaker's state (the United States); therefore, the domain is foreign.

4. Target and Context. The action is directed toward Afghanistan; therefore, the target is coded as Afghanistan. In addition, we designate a context: Soviet-Afghanistan-conflict-1979-88. The complete data line for this statement is: other -3 foreign past Afghanistan Soviet-Afghanistan conflict- 1979-88.

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## Appendix 3: List of speeches and media interviews of M. Khatami

| | | |
|---|---|---|
| 1. Statement at UN General Assembly on the UN Year of Dialogue among Civilizations | September 24, 2001 | http://dialoguefoundation.org/?Lang=en&Page=22&TypeId=5&NewsId=32&Action=NewsBodyView |
| 2. Statement at Davos Annual Meeting | January 21, 2004 | https://www.youtube.com/watch?v=z3V5gtpQK2Q. |
| 3. Speech at UNESCO[3] | September 5, 2000 | http://www.unesco.org/dialogue/en/khatami.htm |
| 4. Speech at ECO Summit | June 10, 2000 | www.ecosecretariat.org/ftproot/High_Level.../iran_6th_summit.doc |
| 5. Remarks to Islamic Symposium on Dialogue among Civilizations | May 4, 1999 | http://dialoguefoundation.org/?Lang=en&Page=22&TypeId=5&NewsId=19&Action=NewsBodyView |
| 6. Statement at UN General Assembly | September 21, 1998 | http://www.parstimes.com/history/khatami_speech_un.html |

3    Speech also quoted by John Calvert, Islamism: A Documentary and Reference Guide (London: Greenwood Publishing Group, 2008). 123.

| 7. Statement at OIC Summit Conference | December 9, 1997 | https://www.radioislam. org/islam/english/islamw/ khatami.htm or http://iranian.com/News/ Dec97/khatami.html |
| --- | --- | --- |
| 8. Interview for New York Times | November 10, 2001 | http://www.nytimes. com/2001/11/10/ international/10KTEX. html?pagewanted=all or http://web.mit.edu/justom/ Public/Literature/Articles/ khatami-interview |
| 9. Interview for CNN | November 12, 2001 | http://edition.cnn.com/2001/ WORLD/meast/11/12/ khatami.interview.cnna/ |
| 10. Interview for CNN | January 7, 1998 | http://edition.cnn.com/ WORLD/9801/07/iran/ interview.html |

# Rise Of China And Asian Regionalism: Implications For ASEAN

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## INTRODUCTION

Erosion of American hegemony, gradual decline of the Western liberal order- coinciding with the rise of the so-called 'rest', especially China, and strengthening of Asian regionalism have been the defining features of the early twenty-first century that began to take shape from the last decade of the twentieth century.

As the epicentre of global politico-security and economic developments is shifting to Asia, the impact of China and other major Asian powers is also manifested on the global politics.

Over the past seven decades, shifts in China's perceptions, approach, and engagement with regional bodies in Asia particularly ASEAN (Association of Southeast Asian Nations) have been intriguing and dramatic. With that as the central theme, this paper focuses on the nuances of China's approach on Asian regionalism, and earmarks the key transitions in the past decades by looking at the historical trends, current situation, and future scenario.

This paper argues that success of regionalism particularly ASEAN-led regionalism is not the result of an accident but a function of geopolitical realities and norms. One of the most remarkable features of the Asian regionalism has been that unlike in the western world, no single major power has ever been able to dominate regionalism in Asia; more specifically in terms of creating, maintaining, and dominating a viable regional organization in Asia.

This is not to say that none of the Asian giants-China, India, or Japan ever tried to work towards establishing a pan-Asian regional grouping. In fact, all of them have made attempts in their own ways-particularly India and Japan. However, they could not sustain such initiatives, substantiating the understanding that Asia is too diverse and vast in terms of ideological national perceptions and geographic expanse to be managed by a single power.

## EVOLUTION OF ASIAN REGIONALISM AND ROLE OF ASIAN POWERS

ASEAN- the grouping of ten Southeast Asian nations, has grown from strength to strength since its formation in 1967. Over the past five decades, the five founding-member countries (Indonesia, Malaysia, Singapore, Thailand, Philippines) not only consolidated their ties overcoming contentious issues but have also managed to include the other countries of mainland Southeast Asia (Cambodia, Lao PDR, Myanmar, Vietnam) and Brunei as members. ASEAN has proved itself as the most successful regional organization of the developing world.

One of the most popular myths about ASEAN is that it came into existence by accident; as an outcome of the external forces and influences, and the countries of the Southeast Asian region did not have much role to play. While the US did play an important role, ASEAN was an outcome of a well-calculated move on the part of leading Southeast Asian countries to form a regional association all by themselves keeping in view the apparent shortfalls in the actions of the US, and the three major Asian giants-India, China, and Japan, who could not play a decisive and constructive role in the formation of a regional organization.

## INDIA

Much before achieving its independence, India had started playing a major role in bringing Asian (and African) countries closer. This was a major unintended consequence of the European colonial rule in Asia, which 'led to the gradual emergence of camaraderie amongst the leaders of Asia.' In India, the Indian National Congress, as the representative collective voice of the people of India, played a significant role in shaping India's global outlook, which took a concrete policy shape with Jawaharlal Nehru's leadership from 1940s onwards. Countries such as Burma (Myanmar), China, Indonesia, Japan, and Malaya figured recurrently in the deliberations and resolutions of the Congress. For instance, in the first session held in December 1885, P.M. Mehta moved a resolution criticising the British annexation of Burma. In the 1927 annual session, M.A. Ansari brought up the idea of an Asian federation.

Gandhi and Nehru repeatedly mentioned the Asian federation in their speeches but nothing substantial could be done. In 1939, Nehru contemplated: "My . . . picture of the future is a federation which includes China and India, Burma and Ceylon, Afghanistan and possibly other countries."

By the turn of 1940s, India became a major Asian power and a thought leader in Asia. Nehru, considered the champion and pioneer of regionalism in Asia was the central figure in conceptualising, organizing and executing the two Asian Relations Conferences (New

Delhi Conferences). The first Conference in 1947, and the second conference (also known as the Conference on Indonesia) were convened in support of the Indonesian freedom struggle in 1949. A sheer look at the list of participant countries- ranging from Armenia to Viet Nam and Burma to Turkey, indicate India's acceptability as the leading power in Asia.

After these two Conferences, Nehru also established the Asian Relations Organization though that could not sustain for long.

Nehru was the most influential ideational force behind the holding Afro-Asian Conference in Bandung, Indonesia in 1955 which was the high-point of India's normative leadership in the Afro-Asian world. It was also the moment when the People's Republic of China, with Nehru's active support, began its diplomatic engagement in Southeast Asia. However, subsequently differences began to emerge and India's influence also declined. The "1962 war between Asia's two largest nations paid to any residual hopes for pan-Asianism and gave Southeast Asian countries an opportunity to assert their own voice and role in regional organisation, which they did on a sub-regional basis-minus India and China-by creating ASEAN in 1967." When the ASEAN was formed in 1967, India was not invited to join the group and was also excluded (still is) from the APEC in 1989.

An intriguing aspect of India's effort is that it strived to work as a 'norm setter' and lead Asia on ideational aspects rather than use material power. As a matter of fact, lack of enough economic and military prowess to lead Asia turned out as constraints for India especially in the 1960s.

In 1949, India's K. M. Panikkar had proposed the formation of *Colombo Plan* as a multilateral fund to fight communist movements in countries of the Southeast Asian region. The narrow focus of the grouping could not yield much as a regional grouping though it exists even today. Likewise, the ECAFE (now ESCAP) also could not achieve much.

## THE UNITED STATES

After the end of the World War II, especially after the Korean War, the US attempted to establish and actively support regional grouping in Asia. It supported the Colombo Plan. A major substantial American attempt to create the South East Asia Treaty Organization (SEATO) in 1954. To get the region-wide support, the US tried, through the good offices of the UK, to seek participation of Indonesia, Burma, India, Pakistan, and Sri Lanka (Ceylon).

However, SEATO was not political but a defence organization aimed at keeping communism in the Southeast Asian region at bay. It could not get much support as most of the countries of the region decided to stay away from a US-led military alliance-oriented grouping and the Cold War politics. Regional states viewed the alliance with suspicion, some seeing SEATO as a ploy by the US to dominate the region and replace the British as the colonizer.

Arguably, US had not done enough groundwork before launching SEATO. It failed to do

a soft launch in terms of initiating a political platform before graduating to a treaty-based regional defence organization. Perhaps the biggest mistake made was lack of understanding that post-war Asia was completely different from post-war Europe where NATO was launched in 1949, and is even today a principal treaty agreement binding Europe with the US.

The US endeavoured to take a lead in forming a regional institution in the region. However, its initiative could not attract many takers. America's ability to create a strong regional organization was challenged by strong normative opposition from an influential segment of Asia's nationalist leaders. In spite continuing support from the US, "SEATO became 'dead in the water' not long after its formation. It never had much potential as a collective security instrument." The peer pressure on countries of the region, especially of India, Indonesia, and Burma also worked against SEATO, compelling others to weigh their options and stay in conformity with popular regional sentiments.

## JAPAN

After the end of the World War II, Japan tried to keep a low politico-diplomatic profile as a part of its foreign policy orientation. Consequently, it avoided political-military engagements and played a predominantly economic role in the region. Japan proposed two major regional initiatives: MCEDSEA (Ministerial Conference for Economic Development in Southeast Asia), and the Asian Summit.

The first meeting of the MCEDSEA was held in April 1966. The participant countries included Malaysia, Singapore, Laos, Thailand, Philippines, South Vietnam, and Japan. Japan was keen but the Southeast Asian countries did not show much interest leading to collapse of MCEDSEA in 1975.

In 1965, a Pacific Free Trade Area (PAFTA) was proposed members of which were Japan, Canada, Australia, New Zealand, and the US. Subsequently, the Japanese took interest in the proposal and in 1968, the first Pacific Trade and Development (PAFTAD) conference was funded by the Japanese Ministry of Foreign Affairs. Another instance of this Asia-Pacific activism was the establishment in 1967 of a Pacific Basin Economic Council (PBEC), designed to gather together business representatives from the five PAFTA countries."

Along with Australia, Japan played a key role in the formation of the APEC 1989, and it remained closely involved in bilateral and regional trade liberalization initiatives that directly involve or have an impact on ASEAN member states.

As far as South Korea is concerned, though it never played a leading role in promoting a regional organization in Asia, it tried to do so on behalf of Japan. South Korea proposed Asia and the Pacific Council (ASPAC) in 1966 with Australia, Japan, South Vietnam, Malaysia, New Zealand and the Philippines. A broad understanding behind the launch of ASPAC was that Japan would lead the grouping as its economy was growing at a fast pace during that time. A major highlight of ASPAC was that it did not include China as a potential member.

The timing of ASPAC launch is important as it happened just a year before ASEAN's formation in 1967. The grouping had immense potential but failed to take off. This happened for numerous reasons, the most important of them being normalization of relations between Japan and China. As Japan normalized its relations with China in 1972, and begun to work towards building ties with Beijing, ASPAC lost steam.

## THE PEOPLE'S REPUBLIC OF CHINA

When People's Republic of China was established, it had to deal with several underlying issues. By overthrowing Chiang Kai Shek-led nationalist forces, mainland China became a communist country under the leadership of Mao Zedong.

China's mission to export communist ideology led to trust deficit with countries of the region getting wary of it. However, in the 1950s, China did accept the role of regional organizations. While it did not play a proactive direct role in the 1950s and 1960s, China requested India at the Bandung Conference in 1955, to help create a permanent regional grouping of Asian and African countries.

However, Nehru disagreed with the Chinese proposal keeping in view his past experiences. Thus, China too failed to make any headway in creating a regional organization even though China was a success in socializing with countries of the region during the Bandung Conference and afterwards.

## FAILURE OF MAJOR POWERS IN SETTING A REGIONAL ORGANIZATION AND THE BIRTH OF ASEAN

Though several countries attempted to promote a regional cooperation agenda in tune with their normative and materialistic interests and concerns, all such big-ticket initiatives could not achieve their goals and failed. The reasons were several including lack of enough capabilities, legitimacy, or commitment; mutual counterbalancing; balance of power politics, and; impact of the Cold War politics.

The 1967 ASEAN Declaration (Bangkok Declaration), and the idea of ASEAN Centrality manifests these objectives and can be seen as a direct outcome of failure of the major powers in creating a neutral organization. Contrary to the popular but somewhat flawed perception that ASEAN centrality is about ASEAN itself, the "centrality" denotes the larger dynamics of regionalism and regional dynamics in the Asia-Pacific and even beyond. Over the decades, ASEAN has turned out as the only regional organization positing itself as neutral and acceptable to all the major powers of the region.

## CHINA AND ASEAN IN THE POST-COLD WAR WORLD

China was critical and apprehensive of ASEAN in the initial years of latter's formation. As a matter of fact, China perceived ASEAN as a US-led sub-regional grouping with capitalist countries as members whose target was to balance and contain China. Beijing also perceived ASEAN as SEATO in a different avatar. That remained the case from 1967 through the 1970s.

China's overt support to the Indonesian communist party-the 'Partai Komunis Indonesia', and the latter's failed attempt to engineer a coup d'état against the Sukarno regime in 1965 not only led to the suppression of the communist movement in Indonesia but also souring of relations with Suharto government. Malaysia, Singapore, Philippines, Burma (not an ASEAN member then) and Thailand also remained apprehensive of Chinese strategic designs in the region. However, such a concern did not turn ASEAN into an overt anti-China forum.

The change begun to surface in the 1980s especially in the context of Vietnam's invasion of Cambodia. Both China and ASEAN opposed Vietnam's occupation of Cambodia and termed Vietnamese installation of new government in Cambodia 'illegal'. Despite differences and disagreements over certain issues, China and ASEAN were on the same side on the Cambodian issue.

After the end of the Cold War, China made concerted efforts to improve relations with ASEAN in the wake of western sanctions following the Tiananmen incident. China was apprehensive that the isolation policy of the West would hugely affect its economy. Therefore, it (re)launched the good neighbourly policy to ensure continuous access to markets and foreign investments and engage and stabilise its relations with countries on its periphery, including the ASEAN states

The watershed moment in China-ASEAN relations came during the 1997 Asian financial crisis. China's readiness to assist the ASEAN economies through bilateral supplementary packages and IMF, and the decision to not devalue *Renminbi* not only brought it closer to ASEAN but also marked the beginning of China's projection of itself as a 'benign power of consequence'. during and to adopt a policy of "engagement" in the late 1990s.

However, China was still skeptical of the motives of some of the ASEAN countries especially in the context of apprehension regarding ASEAN countries coming together to counter balance through the ARF (ASEAN Regional Forum) which was the first-ever ASEAN-led cooperative security centered institution.

The 'golden age' of China's enthusiastic engagement with ASEAN lasted from 1995 to 2010. Arguably, from 2011 onwards, China begun to downgrade its engagement with ASEAN when the latter admitted the US as a member in the East Asia Summit, which was created in 2005 with ASEAN and its six dialogue partners- Australia, China, India, Japan, New Zealand, and South Korea.

For China, the reasons for joining ARF were 'more tactical than strategic'. This is manifested in China's changing approach on ARF. It joined ARF mainly because it did not want to be left out. Furthermore, ARF opened up the new arena for Chinese foreign policy as China tried to engage more with countries across the region especially between 1995 and 1998. Through ARF and its dialogue mechanisms, China became more self-aware i.e., it realized how the international community looked at it. This helped China formulate more informed and sensitive policies.

As China's engagement with ASEAN and its associated dialogue mechanisms deepened, it developed a more nuanced approach. From a 'norm taker', China begun to project itself as an influencing factor in 'norm making' in the region.

From 2011 onwards, the Chinese approach to ASEAN and ASEAN-led groupings has been three-pronged. This was primarily due to the fact that China was keen on formation of an East Asian grouping in the EAS rather than a more functional approach involving Australia, India, and the United States. While China did not pull out of ASEAN-led mechanisms, it was keener on an ASEAN plus 3 approach involving ASEAN and China, Japan, and South Korea. The three-pronged approach included:

- Supporting the ASEAN-centric institutions such as the ASEAN Post Ministerial Conference (PMC), ARF, the EAS;

- Setting up and developing parallel institutions such as the AIIB (Asian Infrastructure Investment Bank) where China plays a leading role with substantial presence of India and Russia, and also involvement of the European Union members such as France and Germany; and,

- Creating China-centric regional initiatives and architecture: Through the conception and launch of regional-level initiatives such as the Boao Forum, CICA (Conference of Interaction and Confidence-Building Measures in Asia), and the Belt and Road initiative (BRI), China is working on the creation of China-led regional institutions.

China has also managed to disrupt the ASEAN unity. 2012 ASEAN summit which ended up with no joint communique due to countries' different approaches towards China is a case in point. The summit attracted skepticism and criticism for ASEAN centrality and unity.

## REASONS FOR RECENT SHIFT IN CHINA'S APPROACH

The question then, comes as to why China has made a shift in its approach. There are three significant reasons behind that:

1. One of the major driving factors has been China's mistrust of ASEAN over the South China Sea issue and the latter's support for Obama's *Rebalancing* or *Pivot to Asia* strategy. China still believes that the issue should be resolved bilaterally and ASEAN should not come to the front as a direct negotiating party. Moreover, China has been asking the countries involved in the dispute to opt for joint development in the sea while keeping the dispute aside. China has been delaying the negotiations on a binding Code of Conduct on the South China Sea proposed by ASEAN. Intriguingly, even at the bilateral level, China has not yet offered a viable solution to the dispute.

2. China's growing economic and military prowess has equipped it to pursue a more assertive foreign and security policy. Major trends in that regard began to emerge

from early 2000s which took a more concrete shape from 2011 onwards. From US$ 91.5 billion in 2011, China's defence budget has increased to US$ 175 billion in 2018. According to SIPRI, between 2010 and 2014, China became world's third largest arms exporter, registering a whopping 143 percent increase in exports from 2005-2009 period. Coinciding with that has been China's rising assertive postures in the South China Sea including the Scarborough Shoal standoff with Philippines in April 2012, and Hai Yang Shi You 981 oil rig stand-off with Vietnam in 2014.

3.  While it is true that assertive tone in China's foreign policy predates Xi Jinping's ascendance to the President's office, it is Xi who brought new elements of pro-activism in Chinese foreign policy. Under Xi, the Chinese diplomacy transformed from "keeping a low profile" to "striving for achievements". China is no more playing low key. It has expressed its aspirations of taking a centre stage. Unlimited number of terms at President's office implies that Xi Jinping is here to stay. From Deng's Dictum-"hide your strength, bide your time, never take the lead", China is moving to Xi's call for the 'Chinese dream', 'Asia for Asians' and the 'new type of great power relationship', which indicate that China will get more assertive over time.

## THE ROAD AHEAD

Several recent and ongoing developments are collectively shaping the future of Asian regionalism and China's interface with it. Some of the trendsetting developments are decline and likely eventual fall of the US-led western liberal order; ASEAN's weak phase and overall decline in multilateralism; and, emergence of new strategic constructs such as Indo-Pacific, and BRI.

## DECLINE OF THE US-LED WESTERN LIBERAL ORDER

The foremost determining factor for Asian regionalism and China is the slow but steady decline of the US-led western liberal order. While Donald J. Trump has often been accused for a sharp decline in the American influence across the world due to his inward-looking, protectionist and isolationist policies; he is more a symptom of the falling American supremacy than the cause itself. Even during the run-up to elections, Trump had made some of his policies clear and had gained popular support of a section of American voters.

The decline of the American supremacy, ongoing phenomenon which has also been termed as post-American order, poly-centric, multi-polar, and no one's world, predates Trump administration. In fact, Obama's rebalancing strategy was a move to restore its place in the Asia. The pre-eminent structural factors in the international system including shifts in the global economy and the rise of China, and renewed great power rivalry especially the US-Russia rivalry, and US-China competition manifested in the rising trade war between has already weakened the US-led liberal order. Thus, even after Trump leaves the President's office, the American liberal order will continue to decline. Eventually, the US will lose its position as a hegemon though the liberal order may not completely wither away.

## ASEAN'S ONGOING 'WEAK PHASE'

Together, China's assertive foreign policy and the decline of American liberal order are weakening ASEAN-a trend which is likely to grow as the rivalry between China and the US intensifies.

For ASEAN, its golden moment was end of the Cambodian conflict and the early post-Cold War period, when all the great powers were willing to engage ASEAN. That was also the time when even great power relations- the US-Russia, US-China, China-Japan relations were good. ASEAN, then, had a window of opportunity for growth and a golden moment. However, with the return of the great power politics, the situation has become difficult for ASEAN. The contemporary situation is somewhat similar to the situation in 1970s and 1980s when tensions were high in the region. The weaknesses in ASEAN have been visible since the 1990s. However, the situation today is much more complicated and multi-layered. Tensions at the regional and global level and great power rivalry happening at this juncture have made ASEAN weaker.

ASEAN's limited material capabilities and divergent strategic interests result in institutional ineffectiveness in such a way that it makes ASEAN ineffective in dealing with the balance of power politics in the region. ASEAN's ongoing 'weak phase' has come into existence because of ASEAN's own inability to stay united in view of China's conscious 'divide and rule' strategy. It is also because some governments in the ASEAN, which are facing international pressure on human rights etc., get tempted of Chinese aid, and are thus pulled away from committing themselves to the ASEAN unity and centrality.

If ASEAN aspires to be the uniting factor for enduring regional architecture in Asia, it must be strong and integrated, if ASEAN is weak, regional structures built on the principle of ASEAN centrality will be weak. Without ASEAN unity, there cannot be ASEAN centrality, which is the key factor of ASEAN's strength. A closely related aspect is the weakening of multilateralism itself which also includes the decline in the quality of multilateral dialogues i.e., moving away from normative purpose to national posturing rather than dialogue for a common objective.

## EMERGENCE OF NEW STRATEGIC CONSTRUCTS: INDO-PACIFIC AND BRI

The emergence of new strategic constructs such as Indo-Pacific has also created some sort of uncertainties in the region leading countries to reassess their strategic and foreign policy choices. So far as Indo-Pacific is concerned, it is strategic rather than a regionalist construct. Indo-Pacific construct so far has not been able to form an institutional base. While there have been dialogues comprising the Indian Ocean littorals but that does not cover the entire Indo-Pacific region. While Indonesia, Australia, India, Japan, and the United States have been trying to give a shape to their perceptions and policies on Indo-Pacific, it is yet to achieve wider acceptance of the countries.

The only construct which has so far been able to project Indo-Pacific is the idea of 'Quadrilateral Dialogue' or 'Quad' involving Australia, India, Japan and the United States.

Competing visions for Indo-Pacific have turned out to be a major development in that context. For instance, Indonesia, which claims to have proposed a comprehensive Indo-Pacific, proposes to make it inclusive treaty-based construct similar to ASEAN's Treaty of Amity and Cooperation. The Indo-Pacific as proposed by United States Defense Secretary, Jim Mattis is more strategic with greater American role in it. So far, senior officials from the four quad countries have convened two meetings. However, the four countries have different expectations and somewhat different interests in joining the dialogue. Notably, all the four countries issued different statements at the end of the meeting.

The Chinese opposition to Indo-Pacific and more particularly to the Quad is the other major bottleneck for both the constructs. China perceives that Quad is aimed to counter balance it. With regard to the Indo-Pacific, China's position has begun to change slowly, and seemingly it might try to find a middle path in dealing with Indo-Pacific with a note of caution. India, which is a key role-player in both Indo-Pacific and the Quad has been careful in not annoying China over Quad especially in view of the wavering commitment of the United States. That is the reason why the Indian Prime Minister Narendra Modi in his Shangri La dialogue repeatedly mentioned of India's own version of Indo-Pacific and refrained from mentioning the Quad while highlighting his government's foreign and security policy priorities.

Understanding India's sensitivities towards ASEAN, the recently held India-US 2+2 dialogue also makes it clear that Indo-Pacific will keep ASEAN Centrality at the core. The Joint Statement mentioned, "Both sides committed to work together and in concert with other partners toward advancing a free, open, and inclusive Indo-Pacific region, based on recognition of ASEAN centrality and on respect for sovereignty, territorial integrity, rule of law, good governance, free and fair trade, and freedom of navigation and overflight." This clearly shows the Indian influence on the joint Indo-US position on Indo-Pacific, while also denoting a shift in the American stand on the Indo-Pacific.

BRI is another likely major challenge to ASEAN unity and centrality. BRI is not only the biggest initiative but is also most potent force affecting regionalism in Asia. For instance, launch of the BRI has further weakened the chances of the revival of an already moribund SAARC. While Pakistan has found more benefits in joining BRI and, thus, is no longer concerned much with its isolation by India. At SAARC, Pakistan's loss has not been India's gain, and it has also weakened India's position, leaving India with the only option to create a viable alternative to SAARC. Consequently, New Delhi now gives more attention to the BIMSTEC and its 'Act East Policy' to engage countries of the South and Southeast Asian region. Lack of progress in implementing regional cooperation agenda has made it clear that SAARC is rapidly losing steam.

In Southeast Asia, it is not clear yet how BRI has affected the ASEAN and Southeast Asian regionalism, but it has definitely affected the calculation of some of the countries in the region. BRI has come up as a big boon for regimes that do not have access

to international developmental agencies owing to their failure in meeting certain pre-requisites such as human rights conditions, good governance, fair and transparent financial system etc.

So far as ASEAN is concerned, it does not have a unified common position on the BRI or even on China for that matter. Like all other major powers, China too has a strong propensity to prefer bilateral mechanisms over multilateralism. This is repeatedly manifested in China's approach towards the region whether on South China Sea dispute or the BRI. For instance, while countries such as Vietnam, and Philippines (before Rodrigo Duterte came to power), advocated an ASEAN-led multilateral approach with respect to the South China Sea dispute, China pursued these countries to go for bilateral negotiations.

Possible negative consequences for ASEAN include members (particularly smaller countries) getting trapped in debt traps and regime traps. In case of Sri Lanka, the BRI debt trap has become a huge problem for the country. In most of the developing world, investment hungry/cash striven countries do not look at the long-term implications of a project because the immediate need of building infrastructure and capacities always remains a much higher priority.

China's policy goals and means in Southeast Asia are complex and to some degree contradictory. China's desire for a peaceful and stable Southeast Asia where it can reap the economic benefits by cultivating friends does not sync with its territorial ambitions.

## "ASEAN FIRST" POLICY: A POSSIBLE WAY OUT

Keeping in view the multiple internal and external challenges before ASEAN, the organization and its member countries should adopt the "ASEAN First" Policy. Arguably, ASEAN should focus on the Southeast Asian unity before working on a grand vision of an Indo-Pacific regional architecture.

Rather than keeping the focus on 'within' the region, ASEAN became too outward looking. At the cost of building its inner strength, ASEAN has been trying to manage relations with the region. From 1994 onwards, especially with the formation of ARF and subsequently EAS and ADMM Plus, ASEAN has been focusing too much on the external actors. This is far too ambitious for a regional organization of ten small countries with a secretariat of nominal manpower and resources. On the hindsight, it may be said that if ASEAN had focused more on building capacities of its members and synchronized its regional sentiments, it would have been much stronger today.

Strengthening ASEAN's collective identity through new ways and means is very important in keeping ASEAN intact as a regional grouping. For ASEAN, its autonomy in the sense of ASEAN countries having a clear say in setting the agenda for the region is important.

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# Coastal States Security Challenges in the South China Sea

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## INTRODUCTION

The South China Sea (SCS) is about 804,000 square nautical miles[1] providing shipping routes connecting Northeast Asia with Southeast Asia and the Middle East. It is the world's second busiest international sea lane and conveys about one-fourth of the global crude oil and other goods. The continued growth in international commerce has been accompanied by the increasing use of the projection of maritime power and, is further compounded with the overlapping claims by the coastal states. These states and the shipping industry are very concerned on the peace and security issues in this maritime domain.

However, the United Nations Convention Law of the Sea of 1982 (UNCLOS) sets out the principles of freedom of navigation that obliges the user states to observe their rights, and at the same time respect the rights of coastal states' Exclusive Economic Zones (EEZ). Hence, the existence of overlapping claims in the general area of Spratly Islands which stretched out to over 500 nautical miles from north to south, creates a differing practices of jurisdiction by coastal states of the SCS as shown in Figure 1.

Malaysia, equally shared the security challenges facing the coastal states to maintain regional peace and stability. Therefore, securing and stabilizing the SCS by encouraging cooperation is a critical dimension of the region's maritime security, at the same time the coastal states continued to strengthen their military capabilities. In order to avoid the possible conflict in the general area of overlapping claims in the SCS, with spill-over effect on the ASEAN and the sea-lanes connecting between the Indian Ocean and the Pacific Ocean, a bold security cooperation has to be pursued. It should be a shift to promote from the culture of state security to a "cooperative security", with strong political will and enhanced economic cooperation, thereby reducing tension and instability.
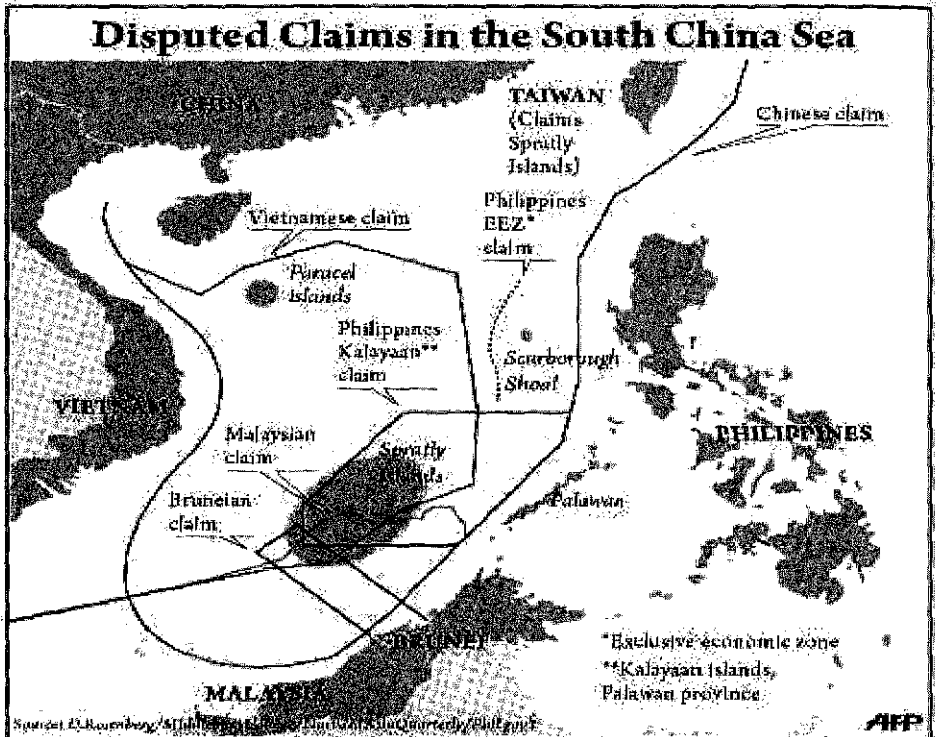
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1    Victor Prescott, "The South China Sea : Limits of National Claims" in MIMA Paper of 1996.

the coastal states continued to strengthen their military capabilities. In order to avoid the possible conflict in the general area of overlapping claims in the SCS, with spill-over effect on the ASEAN and the sea-lanes connecting between the Indian Ocean and the Pacific Ocean, a bold security cooperation has to be pursued. It should be a shift to promote from the culture of state security to a "cooperative security", with strong political will and enhanced economic cooperation, thereby reducing tension and instability.



**Figure 1:** Disputed Territories in the South China Sea

*Source:*http://www.middlebury.edu/scs,theglobaly.files.wordpress.com/2014/03/territorial-claims-nations-south-china-sea.jpg,http://globalbalita.com/wp-content/uploads/2013/01/Territorial-disputes.pn

My paper examines the coastal states' security approach with respect to acquisition of strategic maritime assets such as submarines to protect their EEZ. Secondly, the roles of two maritime powers namely China and the United States in creating regional stability or instability will be discussed, and finally, the paper will impress upon peace and stability has to prevail in the SCS domain with the commitment from the coastal states and major powers.

## COASTAL STATES SECURITY APPROACHES

Though fragile stability has prevailed in this maritime domain, but in reality three major factors in terms of overlapping claims, occupation of the islands/islets by the claimant states, and China's modernization programme of PLA-Navy, are the source of instability. Of immediate concern, is the overlapping claims in the SCS by the six claimants namely, Brunei, China, Malaysia, the Philippines, Vietnam and Taiwan in pursuance of the concept of the EEZ as stipulated in Article 55 of the UNCLOS 1982. Figure 2 shows the overlapping claims of the EEZ by the coastal states including China. At present, four claimants namely China, Malaysia, the Philippines and Vietnam have stationed their troops on the islands of reef in accordance to their claims within the Spratly group of islands. From a total of 53 island/ reefs or banks in the Spratly, China has occupied 9, Malaysia 5, the Philippines 10, Vietnam 26 and Taiwan 2 as stated in the Annex A.
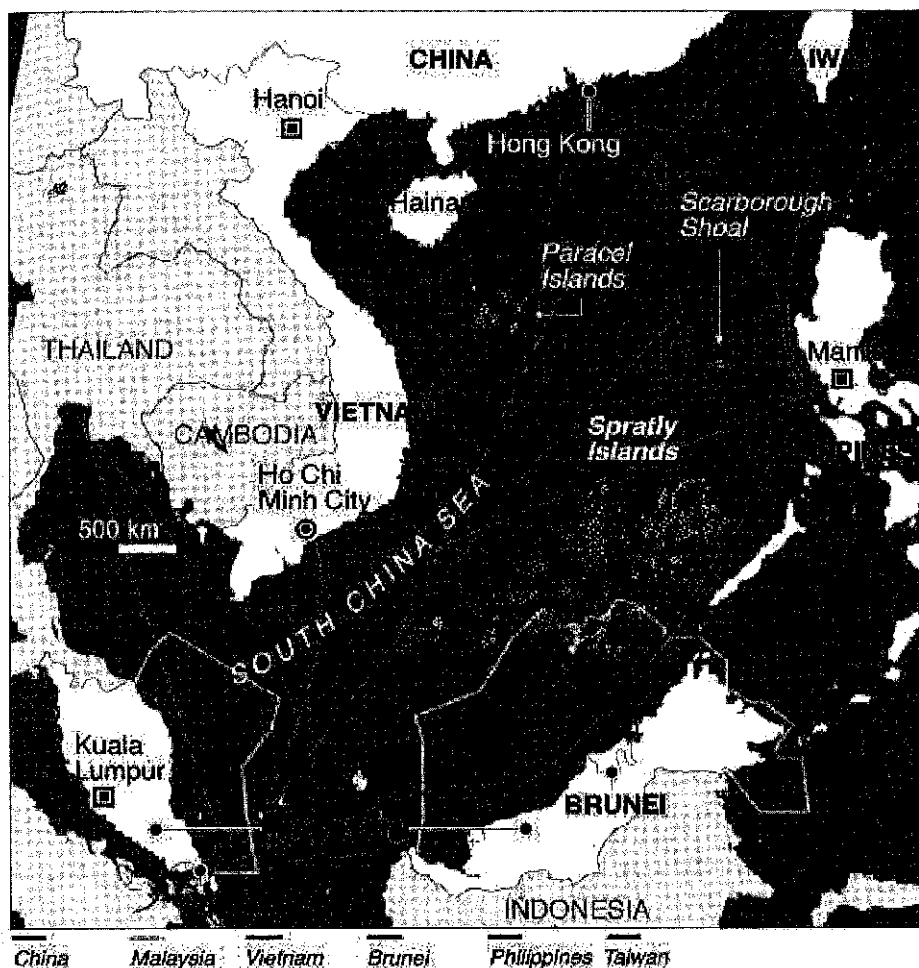


**Figure 2:** Overlapping Claims in South China Sea

Also, the importance of offshore oil or gas to most of the coastal states, is highlighted by almost all of Malaysia's oil, 85 percent of Brunei's and 45 percent of Indonesia's oil come from the seabed of their EEZ in the SCS. There is a fear or shortage of oil in the coming decades in the region that could become a significant source of instability. In addition, fishing activities in this maritime domain rank fourth in the position of the world's 19 fishing zones, and in terms of total catch of fisheries, China is leading with a total of 17.1 million tonnes of fisheries annually.[2] China today launches its annual fishing ban in the SCS – a unilateral act that comes amid unprecedented tensions in the disputed area and fresh fears that Beijing is using the moratorium to assert its sovereignty claims.[3]

The need for strategic deterrence, has contributed on the development of the coastal states' Maritime Forces (MF) to defend their EEZ, the fact that no single country in the Southeast Asia region has adequate resources of MF to ensure the security of entire regional maritime domain in terms of capability and quality. As advocated by Alfred Thayer Mahan over a century ago, that "control of the sea means access to the strategic assets of virtually the entire world".[4] Arguably, the naval build up in the early 2000s in the Southeast Asian States, is an effort to strengthen their maritime capabilities to protect their EEZ which largely contributed towards their economic development.

In this context, it is fair to categorize that the special round arms acquisition by the coastal states started from the year 2000 to 2020, with the allocation between 9 percent to 15 percent of their GDP in maintaining strategic interest in the SCS especially the occupation/construction of some islands/reefs in the Spratly Islands, and maintaining surveillance approaches to the Straits of Malacca. This demands a build-up of its blue navy to control over the vital sea lanes of communication and ensuring the security and safety of its transportation of oil and gas.[5]

Accordingly, the coastal states have increased their military expenditures from 10 percent to 23 percent of their GDP since 2005. This is driven by the three basics requirements: urgent need for modernization programmes of the MF, strong economic growth, and replacement of old or obsolete equipment acquired by the coastal states in the 1980s.[6] However, based on the unofficial report from the United States, the defence expenditure of China was actually USD70 billion in 2002 and has continued to increase markedly to USD122 billion in 2007[7]. Thus in 2007, Beijing was ranked second in defence spending after the United States. In reality, the special round of arm acquisition is very significant to cater for the PLA-Navy's expansion towards blue waters operations, in particular the

2       The Status of World Fisheries and Aquaculture 2008 by Food and Aquaculture Organization of the UN, Rome 2009. Downloaded on 22 Jun 2010 at www.foa.org/docrep/011/1025oe/htm.
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6       SIPRI Papers 20120
7       Ibid.

launching of its first carrier battle groups based on Hainan Island in 2010, to impress upon one of its critical objectives in controlling the SCS.

From the coastal states perspective, it is of paramount importance to acquire military assets to meet the challenges in the maritime domain. This is in line with the theory of Julian Corbett of using MF as an element of national power. Indeed, this is an effort to acquire modern technology to attain the control of the seas, especially the acquisition of submarines is crucial in the maritime domain and is not interchangeable with any other asset.[8] It is very clear that the submarines can be tasked to perform strategic deterrence, sea control and denial, battle space preparation, surveillance, intelligence gathering operations, and support for ground operation including land attack. Stealth is a primary ingredient to effective submarine operations in any maritime domain.

Thus, the acquisition of attack submarines by some of the coastal states of the SCS is very timely. These coastal states have acquired submarines to enhance their defence posture in the maritime domain. By the year 2020, there will be a substantial increase of submarines in the region with Indonesia acquiring 12, Thailand (6) and Vietnam (6) respectively. This is a strategic commitment of the coastal states of their submarine acquisition as envisaged from year 2010 to 2020, the fact that China's intentions to become a major maritime power with the increase number of submarines to 70 by 2020. The coastal states have taken seriously of the changes or shifting of balance, and have responded with their buildups particularly in the submarines fleet.

## PROJECTION OF MARITIME POWERS

Naval power projection as currently being pursued by some maritime powers like China and the United States in the SCS, could be argued as an effort of obligation to impress upon the freedom of navigation to be maintained. It is also to ensure that there is no disruption in the sea-borne transportation of strategic commodity such as oil and gas. The freedom of navigation in the high seas is set out in the UNCLOS of 1982 which came into force in November 1994.

China affirmed its guaranteeing freedom of navigation for foreign ships and air routes through and over the international passage of the SCS according to the international law as stipulated in the Chinese White Paper of 2002. It further emphasized the importance of pursuing peaceful external relations through multilateral and cooperative approaches. For China, as well as for Japan and South Korea, the access to oil is critical to their economic growth and political stability.

At the same time, the United States military presence in the region is a force of stability through cooperation and engagement with the coastal states like the Philippines, Thailand and Singapore. Equally important is the Sino-United States security relations which is

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8  Ramli H Nik, Personal Communication with Admiral Anuwar Mohd Nor (Former CDF of Malaysia) at Armed Forces Corporation Building on 11 May 2010.

fundamental toward ensuring stability in the region,[9] and contributed in attaining two important objectives: ensuring both regional and international peace and security, and promoting economic cooperation in the maritime domain. In essence, the United States has explicitly stated that the freedom of passage in the SCS must not be interrupted because of its strategic and economics interest in the Asia-Pacific region. This is also crucial for its military deployment from the Pacific Area Command based in Honolulu, Hawaii. In realpolitik, the United States has to recognize China as a great power in Asia, as well as its current centrality to the regional economic order. It is clear that China is a preeminent power in Asia that could actively strengthen regional stability, security and prosperity. Accordingly, China acknowledged the United States commitment and its strategic alliances in the region in addressing both traditional and non-traditional security threats.

However, it is critical the use of the high seas for military activities including marine scientific research (MSR) by other States in the coastal states' EEZ. Through Article 58 of the Convention,[10] intelligence gathering activities have been regarded as part of the exercise to freedom of high seas, and therefore are lawful in the coastal states' EEZ as well. Thus far, maritime powers have been virtually conducting such activities without protest from coastal states concerned, unless they become extremely provocative. Other states also may use the EEZ with "due regard" to the rights and duties of coastal states as stated in article 58(3) of the Convention. As clearly stated in the same Article, that in exercising their rights and performing their duties in the EEZ, "States shall have due regard to the rights and duties of the coastal states and shall comply with the laws and regulations adopted by the coastal states". However, under Article 56(2), the coastal states are required to have due regard to the rights and duties of other states in exercising their rights and performing their duties in the EEZ. In essence, the Convention tries to maintain the balance of interests and rights of the coastal states and other states in the EEZ. Unfortunately, the Convention does not clearly define "due regard" or what constitutes permissible military activity?

In this respect, the United States differed in interpretation of the UNCLOS 1982, in particular the Convention's provisions on the coastal states right in their Exclusive Economic Zones (EEZ).[11] The United States has yet to ratify[12] the UNCLOS, while China is a party to the treaty.

On the other hand, there is the misinterpretation of some Articles in the UNCLOS of 1982. The high seas are used for military activities including marine scientific research

9       Eric A McVadon, "The Reckless and the Resolute: Confrontation in the South China Sea," In China Security, Vol 5 No 2 Spring 2009.

10      The Law of the Sea: United Nations Convention on the Law of the Sea, United Nations New York 1997.

11      Ji Guoxing, "The legality of the Impeccable Incident" In China Security Vol 5 No. 2 Spring 2009.

12      President Clinton sign the Convention in 1994 and passed to the Senate for the required ratification. Senate has yet to ratify. China ratified it in 1996

(MSR) by other States in the coastal states EEZ. Through Article 58 of the Convention,[13] intelligence gathering activities have been regarded as part of the exercise to freedom of high seas, and therefore are lawful in the coastal States' EEZ, as indicated by the U.S Navy deployment in Figure 3. In essence, the U.S is prepared to defend the freedom of navigation in meeting whatever eventuality in the SCS.
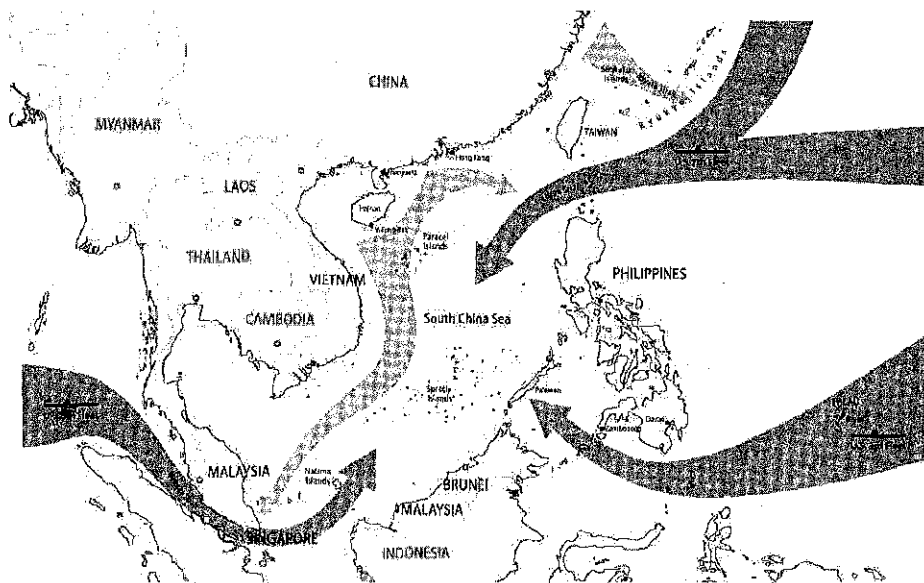


**Figure 3.** The Deployment Of The U.S Naval Fleets Towards SCS

Accordingly, China acknowledged the United States commitment and its strategic alliance in the region in addressing both traditional and non-traditional security treats. But, the most disturbing declaration by China in March 2010 is classifying the SCS as its "core interest". This assertion/declaration is a challenge to the claimant states and extra-regional powers. In other words, China can be construed as firing a first shot towards the claimant states and this could lead to ultimate conflict between China and the front line coastal states. This contravened the endorsement of peace declaration since 1990s by China and ASEAN for peaceful resolution of the islands in disputes as not to use any force or threat of force, to settle the disputes and not to obstruct to the free passage of naval and maritime traffic through SCS. It clearly indicated China's deep commitment to enforcing its territorial claims through the use of military force. China's assertion of "core national interest" has placed this issue in the category of non-negotiable that China would use force if necessary against any nation disturbing its sovereignty in these strategic waters. This commitment is crystal clear as indicated in 2010 by the Chinese PLA-Navy when they adopted a provocative route in the SCS as shown in Figure 4.

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13    President Clinton signed the Convention in 1994 and passed it to Senate for the required ratification. Senate has yet to ratify. China ratified it in 1996.

**Figure 4:** China's Provocative Route

Finally, is the issue of competing for maritime power superiority in the SCS. China and the Unites States are the two contending powers. For example, the Unites States and its allies conducted military exercises in the SCS. China too, carried out military drills to test its naval operational procedures. In the case of China, its power projection in the region is based on three fleets namely, the South China Sea Fleet based in Hainan Island, the North Sea Fleet and the East China Sea Fleet[14]. China is expected to defend its occupied islands in the Spratly and currently it has about 450 troops on the Spratly Islands and in Paracels Island, it has established port facilities on Woody and Duncan islands with a small airport.[15] In short, China has pursued its military strategy to sustain the claimed areas by the following actions:

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14     Kenji Minemura, "China's Scenario to Seize Isle in South China Sea" in ASAHI Weekly. http://www.asahi .com/English/TKY201012300112.html. Downloaded on 3 Jan 2010.
15     Clive Schofield and Ian Storey The South China Sea Dispute : Increasing Stakes and Rising Tensions by in Jamestown Foundation November 2009.

- Establishing diplomatic legitimacy in constant pronouncements on sovereignty over claimed territories.
- Gradual and creeping occupation
- Steadily build-up PLA Navy capability to secure claims
- Pursuance of maritime diplomacy and cooperation, keeping aside disputes and carrying out joint development and followed by engagement in bilateral and multilateral agreement towards confidence-building and code of conduct.

## CONCLUSION

Driven by China's ascending role in Asian security and the United States desires to maintain its status of regional preponderance, the security architecture in the SCS is indeed a challenge to the coastal states maritime security. Therefore, the two major maritime powers are the sources of instability in the SCS. As recognized by Alfred Thayer Mahan (Maritime Strategist) the geopolitical significant of sea lanes communication and chokepoints is for one's own benefit and preparing to deny them to adversaries are relevant to strategist today as they were a century ago.

Presently, with an amicable cooperative political atmosphere among the regional countries like Japan, China, South Korea and the ASEAN Member States, peace and stability in the SCS has prevailed. And from ASEAN's perspectives, it calls for political and economic development, good governance, rules of law and respect to coastal states territorial sovereignty in the SCS. It also required tools or mechanism to recognize and detect problems in the making and to understand the deep-rooted causes which underpin conflict[16]. To enhance stability in these strategic waters, there is a need to address the following general principles:

- Political will
- Committed effort
- Transparency
- Commonality of interest
- No hidden agenda
- Operating procedures and protocols

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16    Report of the Secretary General on Prevention of Armed Conflict (A/55/958-S/2001/574)

Agreement " in Journal of Strategic Studies, Vol.28, No. 2 April 2005.

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## Annex A

The Spratly Islands: Facts and Figures (as at 30 June 2017)

### 1. Introduction

The **Spratly Islands** are a group of more than 750 reefs, islets, atolls, cays and islands in the South China Sea between Philippines, China, Malaysia, Brunei and Vietnam. They comprise less than four square kilometers of land area, spread over more than 425,000 square kilometers of sea. These small and remote islands have little economic value in themselves, but are important in establishing international boundaries. There are no native islanders but there are rich fishing grounds and initial surveys indicate the islands may contain significant oil and gas.

### 2. Occupied Islands

About 53 islands or reefs are occupied by relatively small numbers of military forces from the People's Republic of China, Taiwan, Malaysia, the Philippines and Vietnam. Brunei has claimed an exclusive economic zone the southeastern part of the Spratlys encompassing just one area of small islands above mean high water that is Louisa Reef.

### 3. Definition:

    **a. Bank** – An undersea elevation rising from continental shelf

    **b. Cay** – Low islands or reef of sand or coral

**c. Reef** – A ridge of rock or san d at or near the surface of the water.

**d. Shoal** – An underwater sand bank especially one exposed at low tide.

## 4. Summary of occupied islands/ reefs by claimant states since 1995

| Ser | Country | Flag | Properties |
|---|---|---|---|
| 1. | China | | 9 reefs |
| 2. | The Philippines | | 7 islands and 3 reefs |
| 3. | Vietnam | | 6 islands, 17 reefs and banks |
| 4. | Malaysia | | 1 island, 5 reefs and 1 shoal |
| 5. | Taiwan | | 1 island and 1 reef |
| 6. | Brunei | | Claim only the EEZ |
| 7. | **Total 53 (Islands / reefs / banks / Shoal)** | | |
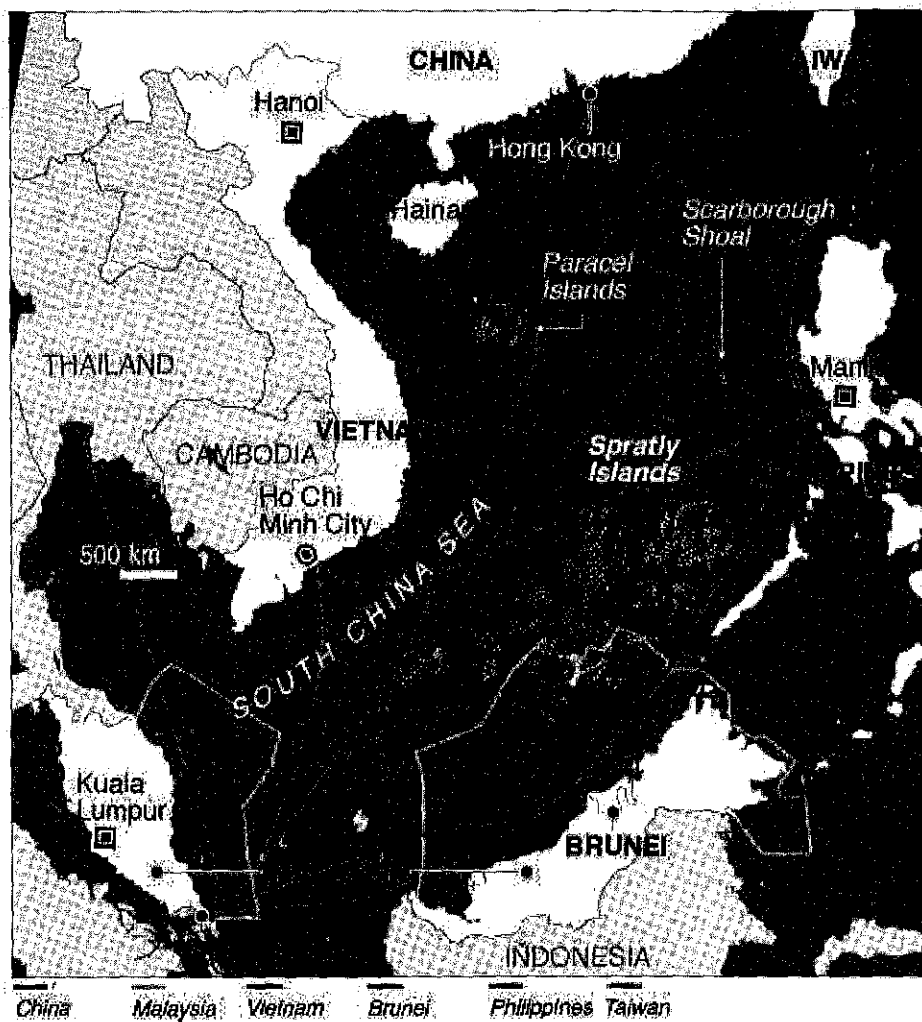
Overlapping Claims in South China Sea

# Changes in North Korea's Security Strategy: Increasing Reliance on Nuclear Elements, Confrontational and Constant Escalation

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## ABSTRACT

For decades North Korea has been engaging the big powers in a provocation cycle by ramping up confrontational behavior followed by charm offensives and offers to begin a dialogue. Despite being one of the weakest countries in the world, North Korea has been able to break the rules in terms of its continued development and testing of nuclear weapons. It has defied the theoretical odds by becoming the world's 10th nuclear weapons power despite its status as an economically backward nation, and vulnerable to the threat of preventive strikes and war. Since Kim Jong-un's accession to power, North Korea's security strategy has shifted towards an unprecedented level involving heavy reliance on nuclear elements as well as its confrontational behavior involving constant escalation of not only its provocative, but also destabilizing and threatening actions that kept on repeating at an unprecedented pace. This article seek to answer the reasons behind the shift of North Korea's security strategy under Kim Jong-un through theoretical perspectives in order to explore why and to what extent nuclear strategy could help smaller states' survival. Subsequently it would analyze the characteristics of North Korea's security strategy under Kim Jong-un and the factors that drives North Korea towards its increasing reliance on nuclear elements, as well as the increasing confrontational and constant escalation of its provocative acts.

*Keywords*: North Korea security strategy, small states, increasing reliance on nuclear elements, confrontational acts, constant escalation.

## INTRODUCTION

North Korea is among a few small states in the world that possesses nuclear weapon technology that has in many occasions managed to consistently elude the big powers' cooperative efforts against its nuclear weapons development program. For decades, North Korea has been engaging the big powers in a provocation cycle by ramping up

confrontational and provocative behavior followed by charm offensives and offers to begin a dialogue. Undeniably, the development of North Korea's nuclear weapons program has emerged since the past decades as the subject of the most divisive foreign policy issues for the big powers, especially the Unites States, China and Russia; as well as its immediate neighbors, Japan and South Korea (Cha & Kang 2004).

Despite being under constant economic sanctions by various countries and international organizations, it is puzzling that North Korea still continues the pattern of provocative, destabilizing and threatening behavior in spite of the collaboration of some of the strongest power in the world to stop the development of its nuclear weapons program. Despite being one of the weakest countries in the world, North Korea has been able to break the rules in terms of its continued development and testing of nuclear weapons. Should we follow the Realist's prescription of power asymmetry as reflected in Thucydides' infamous Melian dialogue "*...the powerful do what they want and the weak suffer what they must*", North Korea's nuclear weapons program or at the very least, its cycle of provocation could have been easily crushed by the United States or China; as both are the big powers with the physical military ability to do so. Yet, this is not the case with North Korea. On top of the big powers' inability to force the nation to stop its nuclear weapons program, the problem has even compelled them to further collaborate among themselves to facilitate a multilateral solution in the effort to denuclearize North Korea as evident in the formation of the Six-Party Talks.

To date, North Korea's security strategy under the leadership of Kim Jong-un continues the pattern of provocative, destabilizing and threatening behavior started by his grandfather Kim Il-sung and father Kim Jong-il. Nevertheless, under his leadership, North Korea has accelerated the provocation cycle to continue to spin more dangerously towards a new level, involving heavy reliance on nuclear elements as well as constant escalation of its hostile and confrontational acts. Since Kim Jong-un accession to power in December 2011, the international community has seen rapid deployment of North Korea's ballistic missiles' and nuclear tests, far exceeded than that of his father's fourteen years of duration in power as time passed by. These aggressive security strategies of North Korea under Kim Jong-un with increasing reliance on nuclear elements, confrontational and constant escalation are also baffling as it was also directed at China.

Towards this end, why did the North Korea's security strategy under Kim Jong-un has not only continue to adopt the confrontational policy of his predecessors, but has stepped up its provocation acts towards an unprecedented level along with its increasing reliance on nuclear elements? To answer the question, this article would first dwelled into the theoretical perspectives to explain why and to what extend nuclear strategy could help smaller states' survival. Subsequently it would analyze North Korea's security strategy under Kim Jong-un by examining its characteristics as well as the factors that drives the regime's security strategy towards its increasing reliance on nuclear elements, as well as the increasing confrontational and constant escalation of its provocative acts. Finally the article will sum up and concludes its findings.

# NUCLEAR ELEMENTS IN SMALL STATES' SURVIVAL

Can small states independently pursue their own goals given the objections from the big powers? To what extent does nuclear proliferation be a viable policy for small states? One of the enduring puzzles in international relations deals with the relationship between powerful actors in the international system and the weak actors. This section seeks to understand the specific interests underpinning North Korea as a small state in pursuing its nuclear weapons program. The security model of international relations offers primary assumptions and explanations for states' power pursuit. Through the Realists' concept of power, states conduct of its security strategy is explained through the distribution of power in the anarchical structure of international system that forces them to seek security by competing each other for power as the best means for survival. Under that condition, states thus have powerful incentives to continually maximize and strive for excessive power to better guarantee their own long-term security (Mearsheimer 2001).

The importance of power in the Realists' sense is when it comes to the amount of influence that it could exert on other states. In the context of small states, the need to maximize power for survival is a great inducement for them to pursue nuclear weapons as deterrent due to the destructive power of nuclear weapons that could enabled them to leverage shifts of the balance of power in assuring their security by placing a critical danger in the hands of their rivals (Sagan 1996). In short, deterrent depends on fear, and to create fear, nuclear weapons are the best possible means (Sagan & Waltz 2003). In addition, states are also mindful of the capability of the other states to pursue the same path hence the formulation of their security strategies on the basis of worst case scenario. The competition would has also made them wary of the time required for them to catch up with the technological and military capabilities of other states (Paul 2000). This explanation fits well into the phenomenon of the North Korea's security strategy under Kim Jong-un that prioritized nuclear elements for its survival as he aggressively accelerates the buildup of its nuclear capability as evidence in its ballistic missiles and nuclear tests. North Korea's frequent missiles and nuclear tests suggests its urgent need in perfecting its nuclear weapons' technology to raise the costs of war in order to gain more leverage in term of its asymmetric power relations with the big powers.

In a contrasted theory against the Realists' logic where state is the main actor, North Korea's nuclear weapons program is considered as a tool for the political propaganda by its authoritarian and economically isolated regime, where the ultimate goal of developing a nuclear weapons program is to keep the Kim family in power (Solingen 2007). This is in line with the Constructivists' approach that places the emphasis on the logic of appropriateness, by defining political action as the product of rules, roles, and identities that stipulate appropriate behavior in given situations (Krasner 1999). Symbolic functions of nuclear weapons also reinforce the state's identity to the international community and also underscore state legitimacy to its people (Medlicott 2005). According to Horowitz (2004), this explanation justified the Kim family's complete control over all aspects of the state by maintaining their legitimacy and power through the possession of nuclear weapons.

In term of the efforts to denuclearize North Korea, the theory that has been adopted for its solution is based on the Liberals', as evidence in the formation of the Six-Parties Talks; in which states that share many interests can engage in collaborative and cooperative social action with each other that could resulted in greater benefits for them (Jackson & Sørensen 2003). Nevertheless, in reality, the expected outcome from the cooperative efforts by the big powers through the Six-Parties Talks did not materialize. Through the study of conflict and cooperation, Grieco (1988) has observed that the most critical question in any scheme of cooperation is how the benefits from cooperation could well be distributed among the cooperating states. The failure of cooperative efforts within states were due to the general insecurity of international anarchy that has led states to worry about not only its absolute gains but also its relative gains, a situation that makes cooperation difficult, even when a group of states share common interests (Mearsheimer 1994). Snidal (1991) further complimented Mearsheimer's argument that even if all states involved in the cooperation gain from working together, there is always fear that one or more of the states will defect from the cooperation and gain more in relative to the other states.

The failure of the big powers' cooperation to end the development of North Korea's nuclear weapons program through the Six-Party Talks has proven how complex and deceiving the practice of multilateral negotiation could be, particularly when it involves the big powers' politics. The Six-Parties Talks did not achieve its intended objectives. Instead it has provided North Korea with the opportunity and time needed for it to further develop its nuclear weapons program that has enabled the nation to further dictate the terms of negotiations and claim more expensive compensation in return. This is the consequences that the big powers' would have to bear due to their inability to come to a collective, appropriate and timely decisive action to halt North Korea's nuclear weapons program during the Six-Party Talks.

## THE CHARACTERISTICS OF NORTH KOREA'S SECURITY STRATEGY UNDER KIM JONG-UN

Authoritarian regimes are usually threatened by popular revolution (peaceful or violent) or by coup led by the military or other elites. The survival of the North Korea's regimes depends on how it manages the top one percent of the nation's distinctive group of individuals who belong to powerful families of former high ranking party officials or better known as patrimonial elite that prioritizes heavy allegiance to the Supreme Leader (Lim & Yoo 2013). Kim Jong-un was officially declared as North Korea's new Supreme Leader on 28 December 2011 at a young age of twenty-seven[1]. Unlike his father who had undertaken 14 years of apprenticeship under his grandfather Kim Il-sung, Kim Jong-un was designated as a Supreme Leader just one year before his father's death. This belated appointment and age factor has made Kim Jong-un's power much shakier than that of his father's.

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[1] Source: Business Insider. 7 July 2016. "We finally know the age of North Korea dictator Kim Jong-un"http://www.businessinsider.my/age-of-north-korean-kim-jong-un-2016-7/?_ga=1.15264437.208751649.1492842230&r=US&IR=T#mEEmfPPJq5iHmmFc.97

Kim Jong-un leadership tends to be more aggressive as compared to that of his father and grandfather in cultivating his own power base. He was reported announcing a military order even before his father's death was made public[2], a reflection of his insecurity over the military threat against his leadership. Purges and executions were carried out more commonly during his time, often in a vicious manner. It has been reported that there were at least twenty purges between the announcement of Kim Jong-un as the new supreme leader in late 2011 and the summer of 2012[3]. As of 2016, Kim Jong-un had allegedly executed over 300 people whom he deemed to be enemies of the state for various reasons[4]. Among the notable purges include that of his uncle Jang Song Taek[5] in 2013, Defense Minister Hyon Yong Chol in 2015 and the alleged assassination of his half-brother Kim Jong-nam[6] in 2017. Kim Jong-un has also gone as far as ordering the assassination of non-Korean nationals abroad[7]. These provocative actions which have reached a new level of animosity were taken without being manipulated neither by the elders of the Kim family nor by any senior military hardliners from behind the scenes. It had raised questions to Kim Jong-un's rationality and to some extent, his sanity.

There are three main characteristics of North Korea security strategy under Kim Jong-un, the first being its provocative actions. For years before Kim Jong-un, North Korea has been engaging the big powers in a provocation cycle, ramping up confrontational and provocative behavior (i.e. the conduct of ballistic missiles' and nuclear tests, saber rattling rhetoric against the United States and its allies et cetera) and later on followed by charm offensives and offers to begin a dialogue. Under Kim Jong-un, North Korea still continues the same pattern of provocative, destabilizing and threatening behavior. However, the striking contrast in term of the provocation cycle under Kim Jong-un, which is the second characteristic of its security strategy; is the high frequency of its provocative acts and escalating in nature.

The intensity of the provocative missiles and nuclear tests, repetitive threats of nuclear attack and cyber-attacks (particularly towards the United States and its allies South Korea

2      Source: The Telegraph. 21 December 2011. "North Korea: Kim Jong-un 'issued first military order before father's death was announced" http://www.telegraph.co.uk/news/worldnews/asia/northkorea/8970079/North-Korea-Kim-Jong-un-issued-first-military-order-before-fathers-death-was-announced.html

3      Source: Reuters. 17 July 2012. "Rise of North Korea's Kim leaves trail of 20 purged officials"http://www.csmonitor.com/World/Latest-News-Wires/2012/0717/Rise-of-North-Korea-s-Kim-leaves-trail-of-20-purged-officials

4      Source: CNN. 29 December 2016. "Kim Jong-un has executed over 300 people since coming to power" http://edition.cnn.com/2016/12/29/asia/kim-jong-un-executions/

5      Jang Song Taek was the Vice-Chairman of the National Defense Commission, a position considered second only to that of the Supreme Leader. His execution was announced in an unusual public declaration, unlike the execution practices under Kim Jong-il implemented without such public fanfare.

6      Source: CNN. 27 February 2017. "Kim Jong-un 'ordered' half-brother's killing, South Korean intelligence says" http://edition.cnn.com/2017/02/27/asia/kim-jong-nam-north-korea-killed/

7      Source: The Sun. 12 March 2017. "North Korea Assassination Order: Kim Jong-un "instructed agents to kill British businessman and American man in revenge for defection plot" https://www.thesun.co.uk/news/3070969/kim-jong-un-instructed-agents-to-kill-british-businessman-in-revenge-for-defection-plot/

and Japan, and even towards Australia[8]) has increased tremendously. The escalation of the provocative acts through its notorious missile tests were purposely done either to celebrate the regime's important anniversaries (i.e. birthday of North Korea founder Kim Il-sung, the Day of Songun, National Independence Day, Party Foundation Day), or to protest against any specific event that were deemed to challenge the regime's legitimacy (i.e. joint military exercises between the United States and its close allies in the region; sessions at the United Nations[9] held to decide the course of actions on its violations of international laws) and even to protest against South Korea's memorial of the Cheonan incident[10]. Besides antagonizing the United States and its allies in the region, Kim Jong-un's provocative acts were also directed against China. This is evidence in the purge of his uncle Jang Song Taek in 2013 who has been China's main interlocutor in the regime and the force behind China-North Korea economic cooperation; and the assassination of his exiled half-brother Kim Jong-nam in Malaysia in 2017 due to Beijing alleged viewed of him as their future "political card"[11].

Third, and the most prominent characteristic of North Korea's security strategy under Kim Jong-un is his tendency to rely heavily on nuclear elements (**Figure 1**). Under Kim Jong-un's leadership, North Korea has conducted ballistic missiles and nuclear tests that have far exceeded the number of tests done under the leaderships of his grandfather Kim Il-sung and father Kim Jong-il. Under the rapid tests, North Korea has made significant progress in term of its nuclear delivery systems, rapidly expanding its stockpile of fissile materials, and steadily improving its nuclear weapon designs.

The rapid technological development of North Korea's nuclear weapons program has caused a growing concerns of the big powers that if the progress continues, the range of its nuclear weapons' reach would soon be as far as the United States. In a statement made before the United States Senate's Armed Services Committee on 10 March 2016, Admiral William E. Gortney, United States Navy Commander, United States Northern Command and North American Aerospace Defense Command (USNORTHCOM and NORAD), had expressed these concern in his statement:

*"North Korea's recent hostile cyberspace activity, nuclear testing, and continued ballistic missile development represent a dangerous threat to our national security. North Korea's recent nuclear test and satellite launch demonstrate Kim Jong-un's commitment to developing strategic capabilities, the program underscores the level of effort and resources the regime is willing to devote to developing advanced weapon*

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8    Australia Defense Industry Minister Christopher Pyne has slammed North Korea after its state-run newspaper Rodong Sinmun identified Darwin as the site of a possible nuclear war. Source: http://www.news.com.au/finance/work/leaders/north-korean-threats-show-kim-jongun-is-under-pressure-ambassador-says/news-story/fd85d8ea0dd13a36ec7be483cbc861f4

9    Source: CNN. 28 April 2017. "North Korea launched missiles during Rex Tillerson's address a special meeting at the United Nations" http://edition.cnn.com/2017/04/28/world/north-korea-missile-launch/

10   On 26 March 2010, a North Korea's submarine sank South Korea's navy ship Cheonan killing 46 of its sailors. Since then, South Korea would host a memorial ceremony on that date every year to honor its dead sailors.

11   Source: The Diplomat. 17 February 2017. "What Does the Kim Jong-Nam Assassination Mean for China?" https://thediplomat.com/2017/02/what-does-the-kim-jong-nam-assassination-mean-for-china/

*systems. As the combatant commander charged with defending the homeland, I take this threat very seriously, particularly in light of North Korea's unpredictable leadership."*[12]

Kim Jong-un's leadership has strongly influenced the formation of the explained characteristics of North Korea's changing security strategy. All the three characteristics are the resemblance of his demeanor and leadership style that has in many cases portrayed him as a young, impulsive and hot headed decision maker that seemed to be prone to rash actions to satisfy near term goals or quash immediate frustrations.

## North Korea missile launches and nuclear tests
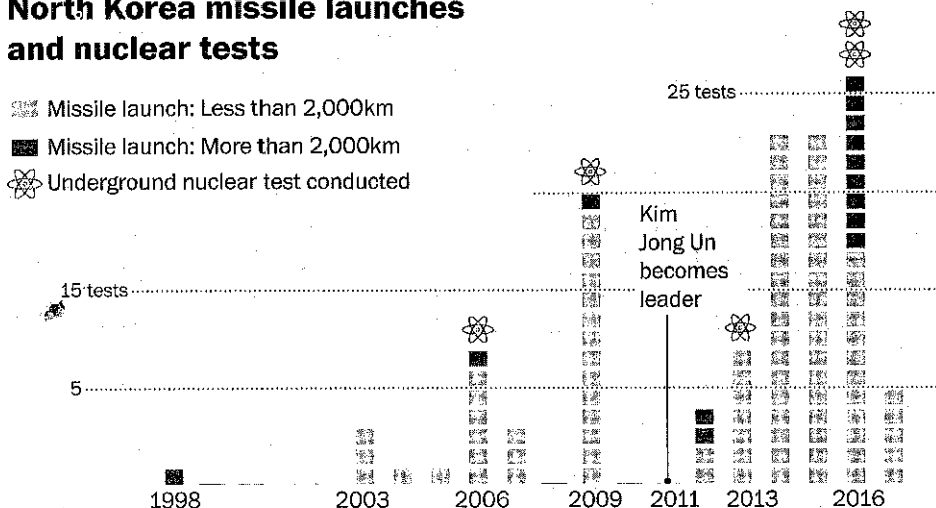


**Figure 1:** North Korea's tendency to rely heavily on nuclear elements.

*Source: The Washington Post, 14 April 2017* https://www.washingtonpost.com/news/worldviews/wp/2017/04/14/a-timeline-of-north-koreas-five-nuclear-tests-and-how-the-u-s-has-responded/?utm_term=.59aa24baa612

## DRIVING FACTORS OF NORTH KOREA'S SECURITY STRATEGY UNDER KIM JONG-UN

Since Kim Jong-un's accession to power, the security situation of the Korean peninsula has taken a dramatic turn for the worse, following his security strategy that is confrontational, constant escalation in its provocative actions and heavy reliance on nuclear elements. Notwithstanding, these escalating provocative actions has surprisingly not only focuses on the United States and its allies alone, but also towards North Korea's only ally, China. There

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12      Source: USNORTHCOM and NORAD Posture Statement, 10 March 2016. http://www.northcom.mil/Portals/28/Documents/Gortney_Posture%20Statement_SASC_03-10-16.pdf

are already signs of apprehension on the side of China as evidence from its recent support to the United Nations' sanction against North Korea by suspending its coal imports from North Korea in mid-February 2017 for the remainder of the year[13]. However, despite the coal import ban by China, North Korea has again continued to launch more ballistic missiles in March and April 2017, placing Beijing under defensive situation of being aggressively pressured into Washington's rhetoric of resolving North Korea's nuclear threat through the use of force[14].

Historically, there were two factors that have driven the pursuit of North Korea's nuclear weapons program. First being the longstanding nuclear threat from the United States towards North Korea that has started since the Korean War in 1950-53. The United States' introduction of tactical nuclear weapons in South Korea[15] during the period was in retaliation to the increasing violation of armistice agreements by the Soviet Union's expeditionary forces stationed in North Korea (Foot 1988). Second was the uncertainty of the support from the Soviet Union and China that were proven unreliable at times, as evidence in the Soviet Union backed down during the Cuban missile crisis with the United States in 1962, as well as both Soviet Union and China's rejection to assist North Korea in developing its nuclear program in 1963 and 1975 respectively. The situation has resulted into the development of North Korea independent nuclear capability in order to reduce its dependence on the Soviet Union and China for defense and strategic deterrent (Ganguly & Kapur 2008).

Under Kim Jong-un, one of the driving factors that have shaped his security strategy is the multiple threats posed by multiple actors towards his regime. During his father and grandfather's reign, nuclear weapons has been used as bargaining chip in exchange for energy assistance, food aid, diplomatic talks, security assurances, sanctions relief and economic concessions (Lankov 2013). Since the late 1990s, North Korea's nuclear extortion has generated more than US$6 billion in aid from not only South Korea but also the United States, China, and Japan (Noland 2000). Nevertheless, the on and off negotiations have never reached any agreement or produce any sustainable path toward North Korea's denuclearization and the international community has grown weary of such negotiations. On another related matter, the world has seen the gruesome end of Muammar Gaddafi life and the collapse of his regime in 2011 due to the attack by the American forces under NATO in support to the uprising rebel. This occurred eight years after Libya has given up its weapon of mass destruction program in 2003.

The collapsed of the Gaddafi's regime in Libya has convinced Kim Jong-un that in order for him to avoid falling into such fate, it is imperative for him to gain more leverage

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13    In 2016, North Korea is China's 4th biggest supplier of coal with imports reaching 22.48 million tons, up 14.5 percent compared to that of 2015. Source: Reuters http://www.reuters.com/article/us-china-coal-northkorea-idUSKBN15X09M

14    Source: Reuters. 28 April 2017. "United States says time to act on North Korea, China says not up to Beijing alone" http://www.reuters.com/article/us-northkorea-usa-un-tillerson-idUSKBN17U27O

15    At the height of the Cold War, President Eisenhower introduced the "Massive Retaliation Doctrine" according to which any Soviet military deployment will be countered by maximal nuclear response.

against its asymmetric power relation with the major powers by raising the costs of war by accelerating the progress of its nuclear weapons program. Kim Jong-un's determination toward this mission was revealed during the Plenary Meeting of Workers' Party of Korea (WPK) Central Committee and 7th Session of Supreme People's Assembly on 31 March 2013 where he referred to North Korea's nuclear weapons program as *"the nation's life which can never be abandoned or subject to negotiation"*, and that *"the meeting set forth tasks for carrying out the new line and ways for doing so."*[16]

Kim Jong-un's aggressive pursuit of the technological advancement of its nuclear elements and his prolong persistence in ignoring the rules of international order had becoming a growing threat towards the regional security and stability. For instance, there were already debates at the Japanese Diet over the ruling Liberal Democratic Party's proposal for Japan to develop its own strike capability on top of its theater missile defense and the Aegis ballistic missile defense to further enhance its deterrence, as well as to upgrade the response capabilities of the Japan-United States alliance against the North Korea's nuclear threat[17]. Meanwhile the THAAD anti-ballistic missile defense system is already being deployed in South Korea and was announced operational on 2 May 2017[18]. The recent United States' missile strikes on Syria carried out during the United States-China Summit in Florida on 6 April 2017 has signaled a strong message to North Korea that it could be next in line for such action by the United States. These multiple threats posed by multiple actors against North Korea has push Kim Jong-un's regime against the wall, and that has further strengthen his resolve that his only option for survival is to further upgrade its existing nuclear weapons program.

The second factor that drives Kim Jong-un's security policy is North Korea's mutually dependent relationship with China. With minimal exception of Russia, China is North Korea's only window to the outside world. It helps the regime to survive despite its continuing international isolation and acute economic dysfunction. Ongoing bilateral collaboration between China and Russia would occur from time to time that work against the United States' actions towards North Korea[19]. This is one of the many initiatives undertaken by China to avoid moves that could cause the collapse of the North Korea regime, and North Korea is totally aware of this situation. Both China and North Korea are caught in a mutual hostage relationship, where North Korea needs China's help for their survival and China needs North Korea not to collapse (Cha 2012). Memories of Japan's invasion of China via the Korean peninsula still remain strong within the Chinese

16      Source: The Plenary Meeting of WPK Central Committee in conjunction with the 7th Session of the Supreme People's Assembly held on 31 March 2013. See details at: http://www.nkeconwatch.com/2013/04/01/2013-plenary-meeting-of-wpk-central-committee-and-supreme-peoples-assembly/

17      Source: The Japan Times. 10 April 2017. "Japan tests reaction to obtaining strike capability against North Korea threat" http://www.japantimes.co.jp/news/2017/04/10/national/politics-diplomacy/japan-tests-reaction-obtaining-strike-capability-north-korea-threat/

18      Source: Aljazeera. 2 May 2017. "THAAD missile defense system operational in South Korea" http://www.aljazeera.com/news/2017/05/thaad-missile-defence-system-south-korea-170501204447184.html

19      Source: The Diplomat. 27 April 2017. "What behind Sino-Russian Cooperation on North Korea?" http://thediplomat.com/2017/04/whats-behind-sino-russian-cooperation-on-north-korea/

policymakers. The risk of regime collapse in North Korea would entail a large number of refugees entering northern China, and the likelihood of a reunified Korean peninsula under South Korea's control and allied with the United States. The prospect of the United States troops to be placed on its borders is deeply alarming to Beijing.

The interdependent relationship with China has also presented North Korea with the advantage through its weaknesses, which explains the logic out of the third factor. It is a common understanding of bargaining in international relations that a greater physical power and more financial resources are the advantages in the bargaining situation. Nevertheless Schelling (1980) has provided explanation that fit well in the case of North Korea as he argued that the bargaining power depends largely on the credibility of threats and that in some situations weakness may be strength because it can force the other end to make concessions. By portraying its weakness and confronting China over its provocative actions against the United States and its allies, North Korea has made its threat credible in achieving better bargaining outcome from China in the form of economic and political at the international platforms particularly against the threats posed by the United States and its allies in the region.

## CONCLUSION

What seemed to be the significant change in North Korea's security strategy under Kim Jong-un is its heavy reliance on nuclear elements, and the unprecedented confrontational behavior involving the escalation of his provocative, destabilizing and threatening actions. The resolve toward heavy reliance on nuclear elements in Kim Jong-un's security strategy has put North Korea on a journey towards the path of no return that requires the regime to continue pursuing the technological upgrade of its nuclear weapons program to ensure operational and strike capability that could further raise the cost of going to war by its opponents. Under Kim Jong-un, North Korea's nuclear weapons program is his ultimate weapon of parity, the great equalizer that could provide him a great deal of leverage against its opponents.

Recently the world was taken by surprised by Kim Jong-Un's moves towards what seemed to be a diplomatic détente when he extended his invitation in early March 2018 through South Korea to meet President Trump. Many were convinced that it was a sign that the United States' policy of maximum pressure towards North Korea had started to bear its fruits. Nevertheless, Kim Jong-un's moves are dubious on many grounds. After making the offer to the United States, he made a surprise visit to China from 25 to 28 March 2018 that has caught the White House off guard. The visit has invoked China's reaction to dispel the possibility that the soon-to-be held United States-North Korea summit would reach a grand bargain that could dictate the future of the Korean peninsula. Instead President Xi Jinping's statement made during the visit has reflected China's position to determine the fate of the Korean peninsula as he vowed to "push the relations between the two parties and the two countries to a new high in a new historical phase".

What perceived to be North Korea's resort towards diplomacy is also a misguided perspective. The 2018 Winter Olympics driven diplomatic rapprochement with South

Korea in February 2018 that has led towards the United States' agreement to accept North Korea's invitation to hold a summit, has on the other hand created the impression that Japan; another United States' strong ally in the region, been left without a role. It has also fuelled Japan's concern that the United States might privilege South Korea's interests over its own in dealing with North Korea, placing Japan under the impression that it is in a weaker position now to negotiate its strategic interests pertaining to the Korean peninsula. The situation revealed Kim Jong-un's strategy to raise the tension between the United States and its allies in the Northeast Asia. Similarly, his maiden visit to China would also produce the same effect toward Russia that has most of the time echoed China's position on North Korea issue at the international arena. It is apparent that Kim Jong-un's actions are not coming from that of a maniacal provocateur, but instead were initiated by a strategic, smart and pragmatic leader.

In conclusion, North Korea's heavy reliance on nuclear elements, its confrontational and constant escalation of provocation as demonstrated by Kim Jong-un's security strategy is a strong indication that it would be highly unlikely for him to abandon its nuclear weapons program and risks its regime's survival at stake. Kim Jong-un's recent diplomatic "gestures" to lure the respective leaders towards the illusion of securing the "deal of the century" reflects his strategic move to gain the upper hand in dictating the direction and speed of the situation. The move could also be his stalling tactic to buy time for the Hermit Kingdom's final sprint toward achieving a greater advance in its existing nuclear arsenals capabilities that could threaten the world with yet another technological "breakthrough." On the other hand, it is without doubt that the new development appears to be a golden opportunity for the big powers to denuclearize North Korea once and for all. However what is at stake now is the big powers' ability to find the right equilibrium in balancing their respective interests to bring about the maximum negotiation leverage on their side.

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# The Impact Of Fourth Industrial Revolution On The Conduct Of 21st Century Diplomacy

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## ABSTRACT

This article explores the anticipated impact of the Fourth Industrial Revolution (4IR) in influencing 21st century diplomacy. Based on the characteristics of the 4IR as dissected by Prof. Klaus Schwab, author of the book *The Fourth Industrial Revolution*, the writer divides his article into three sections: *Introduction*; *Analysis*; and *Conclusion*. As the *Introduction* runs through the previous industrial revolutions and delves into the definition of the 4IR and 21st century diplomacy, the *Analysis* section poses three assumptions connecting the 4IR and 21st century diplomacy. Based on current trends, as the 4IR envelops the globe, the writer discusses that diplomats are expected to spend more time negotiating matters related to cyberspace; big data will demand foreign ministries (MFAs) to engage more actively in public diplomacy; and nation-states are anticipated to broaden its engagement with non-state actors. In the *Conclusion* section, highlighting a few instances of governments' efforts in embracing the 4IR, the writer reiterates that the practitioners of 21st century diplomacy must centre their focus on working closely with different stakeholders in order to ensure that the 4IR will only bring overwhelming benefit to mankind.

*Keywords*: Fourth Industrial Revolution, 21st century diplomacy, cyberspace, big data, engagement.

## INTRODUCTION

This paper was written as an attempt to understand the relationship between the Fourth Industrial Revolution (4IR) and 21st century diplomacy. As first coined by Prof. Klaus Schwab, founder and executive chairman of the World Economic Forum (WEF) in 2015, the rapid advancement of technology is bringing the human kind to the brink of a new industrial revolution. As experienced with the previous three industrial revolutions,

people's lives were disrupted significantly, even more so with the invention of new tools and devices. It is not dubious to say that each industrial revolution directly shaped the way people live and very much characterised how states conduct diplomacy respectively. Therefore, understanding the full potential and capabilities of the 4IR would allow key actors regardless of nation-states or non-state actors to: 1. Anticipate the disruption that the 4IR would cause to international diplomacy practice; and 2. Consider available options in furthering or protecting their interests. Above all, these must be explored with the people being at the centre of discussion.

## PREVIOUS INDUSTRIAL REVOLUTIONS

The first revolution began in the 18<sup>th</sup> century when the steam engine was introduced and led people to switch their lifestyles from being agriculture-centred to industrial-centred (textile and iron). Later, before World War 1 took place, the second revolution kicked off and people witnessed the introduction of mass production. This was made possible by the emergence of electricity and the invention of significant devices including telephone and light bulb. It took half a century before the third revolution made its way in the early 1980s. Otherwise known as the *digital revolution*, this revolution was unique in the way that it ventured into an unknown environment instead of continuing to build on what had been constructed by the second revolution. Disrupting the *status quo* of the industry during that time, the analog-based architecture was forced to cease and gave way to a newly established digital world. This age saw the multiplication of computers, the expansion of the internet and the advent of the information and communication technology (ICT).

## THE FOURTH INDUSTRIAL REVOLUTION (4IR)

While certain experts viewed that the 4IR is just a continuation of the third industrial revolution, Schwab argued that the 4IR is unique from all three previous industrial revolutions in terms of scale, scope and complexity, and due to a number of compelling reasons. The most important one is the fact that the 4IR is witnessing the fusion among the physical, digital and biological worlds. The new technologies that are shaping the 4IR include artificial intelligence (AI), robotics, 3D-printing[1], nanotechnology, genetic engineering and the internet of and for things. Apart from bringing major societal change just like what the previous industrial revolutions did, the 4IR is viewed with much interest (or worry) due to its unprecedented speed of spreading. This continues to build on Moore's law which substantially shapes the semiconductor industry and the advancement of technology in a broader context[2].

On terminology, this paper does not differentiate between *Fourth Industrial Revolution*, *Industry 4.0* or *Industrie 4.0*. In some works, the respective authors discussed at length on the definition of these terms and gave them clear distinction. For the purpose of simplicity

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1   3D-printing is the process of creating a physical object by printing layer upon layer based on a digital 3D model. It is also called additive manufacturing which is the opposite of subtractive manufacturing - the incumbent concept of manufacturing.

2   In 1965, Gordon Moore, founder of Fairchild Semiconductor and Intel, observed that the number of transistors in an integrated circuit doubles every two years. He also predicted that machines will be built with lower costs over time, and with faster turn-around.

and considering the focus that this paper devotes to how this emerging environment will influence the conduct of diplomacy in the 21st century, the writer is of the view that the discussion on the distinction between the terms will not contribute to the outcome that this paper hopes to achieve.

To have a better look at the kind of impact that the 4IR will bring to the people, it is useful to glance through a survey report titled *Deep Shift - Technology Tipping Points and Social Impact* as published by the WEF in September 2015[3]. By the year 2025, more than 80 percent of the respondents expected that the following tipping points, among others, will occur: first implantable mobile phone available commercially; 10 percent of reading glasses connected to the internet; 10 percent of people wearing clothes connected to the internet; 90 percent of population using smartphones (currently at 50 percent); 1 trillion sensors connected to the internet; the first government to replace its census with big data sources; the first robotic pharmacist in the US; the first 3D-printed car in production; and 5 percent of consumer products printed in 3D.

## 21ST CENTURY DIPLOMACY

As the emergence of the 4IR coincides with the arrival of the 21st century, this paper analysed how countries and their diplomats conducted diplomacy differently from the year 2000 until now and perhaps providing valuable indication on how the practice will continue at least until the halfway mark of the century. Kishan S. Rana, a seasoned Indian diplomat and former ambassador, wrote in his book, *21st Century Diplomacy: A Practitioner's Guide* that ICT has impacted strongly on diplomatic systems, bridging to some extent the distance syndrome that dominates the diplomatic networks. While *reducing* the distance between the capitals and their embassies worldwide, the innovation of the internet has connected the public with the foreign ministries (MFAs) and change the ways how things are being run at the respective MFAs. Now that we understand that the 4IR is characterised mainly by cyber-physical systems, we will then look into the areas of diplomacy that could be affected by this novel environment, captured through three instances as discussed in the *Analysis* section.

Since the first time Prof. Klaus Schwab mooted his ideas on the 4IR to the world, many experts, business leaders, think tanks and government leaders, among others, have started to express their views on the subject; in most instances, they concurred with Schwab's take on the future. While his book was not in any way detailing out the extent that the 4IR would influence our lives, the key stakeholders in their respective industries have been able to brainstorm valuable insights, often with the view of opting for a *soft landing* rather than a *hard* one especially when the revolution is due to kick-start in its full scale. Those who are in the manufacturing sector for example, are exploring alternatives especially when the time comes for the existing jobs to be ceased and replaced by machines, robots and AI. Throughout his book, Schwab emphasised that the 4IR will only deliver the full benefit for mankind if everyone works together and the barriers between sectors are dissolved.

3 The WEF's Global Agenda Council on the Future of Software and Society conducted this survey on 800 executives to gauge when they think the 23 game-changing technologies will make their ways for public use.

Leaders from business, government, civil society, faith, academia and the young generation must develop a holistic perspective on what is happening. It is interesting to highlight Schwab's thoughts on the way forward: the importance of nurturing and applying four types of intelligence namely, contextual (the mind), emotional (the heart), inspired (the soul) and physical (the body). With respect to this paper's intent of linking between the 4IR and diplomacy, it was unfortunate to find that Schwab did not branch his multifaceted discussion towards this end, among others. He called for all stakeholders including the government and policymakers to prepare well in minimising the negative implications caused by the 4IR disruption. He stopped short here.

Likewise, it has also been a challenge for the writer to come across diplomacy-related books that delve into the 4IR. An obvious presumption would be the fact that this subject is still new and works are probably ongoing for international affairs experts to understand the 4IR and relate it to the ever-changing environment of the world's 21ˢᵗ century diplomacy. The book by Kishan S. Rana, *21ˢᵗ Century Diplomacy: A Practitioner's Guide,* though elaborated at length on the impact of ICT and Web 2.0 on diplomacy, and despite its intuitive title, did not discuss on the 4IR as the idea was coined after the book was published in 2011. Considering the scarcity of reading materials concerning this subject, the writer believes that more attention should be paid in exploring how the 4IR would significantly impact the current practice of diplomacy. Efforts should also be made towards stressing the utmost importance of working in concert, collectively, and based on mutually beneficial cooperation.

## ANALYSIS

Diplomacy *per se* warrants a wide area of discussion. In arriving at what this paper is trying to conclude, three unique elements were studied especially in establishing the connection between the 4IR and diplomacy in this era. The sectors were then clustered according to three different assumptions as follows: 1. Diplomats are expected to spend more time negotiating matters related to cyberspace; 2. Big data will demand MFAs to engage more actively in public diplomacy; and 3. Nation-states are anticipated to broaden its engagement with non-state actors.

## Diplomats to Spend More Time Negotiating Matters Related to Cyberspace

Jim Hoagland wrote in the *Washington Post* that "diplomats and strategists have started to patrol this expanding intersection of technology and international affairs, hoping to find ways to adapt the Cold War rules of deterrence and arms-control agreements to threats from cyberspace" (Hoagland, 2017). Since 2008, there have been many instances of cyber-attacks directed both at sovereign countries and corporations. In 2015, a cyber-attack cut electricity to nearly a quarter-million Ukrainians just two days before Christmas (Greenberg, 2011). In 2014, *Sony Pictures* got hacked tremendously due to its production of *The Interview,* a satirical film on the North Korean leader, Kim Jong-Un (Elkind, 2015). The advent of the 4IR will only see the proliferation of such attacks, particularly considering more gadgets, items and physical infrastructures would get connected in the future.

Against this backdrop, diplomats representing nation-states are expected to chart into unfamiliar territory. Apart from addressing and negotiating trade matters, denuclearisation, climate change and counter-terrorism, among others, diplomats will in the foreseeable future find themselves talking about cyber-security. According to Schwab, this is also resulting from the widening gap between those who understand the highly technical issues of cyber warfare and those who are developing cyber policy. Furthermore, in comparison to nuclear, biological and chemical weapons, a set of shared international norms concerning cyber warfare is currently lacking still. This provides a huge space for deliberation which could also be speeded up by a major cyber-attack incident implicating a significant number of nation-states either directly or indirectly.

Another lingering aspect concerning cyberspace is the fact that an attacker could not easily be identified. More often than not, cyber-attackers were found to be originating from non-state organisations, which give rise to the issue of attribution. One tough question could include: "Did the organisation act according to an instruction from a nation-state?"

## Big Data Demands MFAs to Engage in Public Diplomacy More Actively

Alongside the 4IR, more data will become available like never before. If this data is being accumulated to achieve certain objectives, it could be expressed meaningfully and would be invaluable for governments, in this case MFAs, to serve citizens and customers alike. A study found that the volume of business data worldwide across all companies doubles every 1.2 years (Granville, 2014). To put it in perspective, just imagine the volume of data that is in the possession of a government.

Big data has allowed farmers to make better decisions on what to grow, when to plant, how to determine products freshness and how to adapt to changing climates (Big Deal with Data). As part of the responsibilities of the MFAs, they are expected to engage with the public via public diplomacy. Among various definitions, Kishan S. Rana suggested that public diplomacy consists of activities through which governments, working with non-state agencies, reach out to public and non-official actors abroad, covering *inter alia* information, culture, education, and the country image. Public diplomacy also includes the activities of the government directed at home public, concerning foreign affairs and the image of its diplomatic network.

In the case of the Malaysian MFA, the task of tracking Malaysian citizens abroad has been met with daunting challenges. Far from wanting to know their whereabouts and be labelled as *busybody*, the sole intent of conducting such task is for the MFA and its corresponding embassy to be prepared whenever unexpected incidents or natural disasters occur at a given location. In April 2015, Kathmandu was hit by a 7.8 magnitude earthquake. The fact that a number of Malaysian citizens were there required the embassy to instantaneously locate each of them and ensure they were receiving the necessary assistance towards protecting their safety. This proved to be a challenge as the embassy did not have the complete list of Malaysians traveling there during that time. The whereabouts of a number of citizens were made known to the embassy only through their relatives in Malaysia after the quake took place. Public diplomacy relies heavily on image. The swift action by the embassy invited

recognition and gratitude from the affected citizens and the wider Malaysian public. This particular instance could be further improved by utilising big data. Nowadays, passports contain biometric information of the holders. This information is stored in the immigration department's database. If it is shared with the MFA, the embassy would automatically be notified on the whereabouts of any particular citizen, thus diminishing the probability of the citizen not informing the embassy on his or her whereabouts. On the citizen's part, he would not have to bother informing the embassy that he is heading to the location and likewise, the embassy could possibly quit displaying reminders on its website, asking citizens to notify their whereabouts to the embassy.

Just as Schwab highlighted, leveraging on big data will enable better and faster decision making. Automated decision making will then reduce complexities for citizens, and enable governments to provide real-time services.

## Nation-States to Broaden Engagement with Non-State Actors

In the context of 21$^{st}$ century diplomacy, the 4IR envisions the productive engagement between nation-states and non-state actors including and not limited to non-governmental organisations (NGOs), civil societies, industry players, academia, think tanks and the media. Traditionally, nation-states and non-state actors are differentiated mainly by their legal status and the state of being sovereign or otherwise (Schmitt and Watts, 2016). To a certain extent, this is coupled with the fact that nation-states possess incomparable resources and capabilities. With the advent of the 4IR, this state of affairs seems to require a revision. Non-state actors are now becoming more equipped with abundant of resources and capabilities regardless of types. *Apple* for instance, has cash that exceeds the GDPs of two-thirds of the world's countries (Khanna, 2016). Currently, the world's ten biggest banks control almost 50 percent of assets under management worldwide. The world's powerful companies that are becoming more powerful than many Third World countries include Walmart, Exxonmobil, Glencore, Samsung, Amazon and Microsoft, to list a few. Discussions are also ongoing on whether these corporations are vying with nation-states for global power. This changing landscape thus demands all stakeholders to conduct a comprehensive engagement. Nation-states are no longer the sole centres of power. As Schwab commented, the power is shifting from state to non-state actors and from established institutions to loose networks.

In an age where industries will become the driver of growth, the urgent need for nation-states to adapt is critical. Those which do not succeed in establishing tomorrow's preferred norms are faced with the risk of becoming isolated and incompetent. A proactive approach in embracing the 4IR has been shown by the German government (Ray, 2017). Under its High-Tech Strategy Plan 2020, it is accelerating the participation from its world leading manufacturers including Adidas, Audi, Bosch, Daimler and many others. To ensure that manufacturing continues to be the national economic engine, hundreds of millions of dollars are also being invested by the government on academic research and industry trials. This is a great example of how a nation-state is broadening its engagement with non-state actors with a view of reaping the full benefit promised by the 4IR.

Another instance of such engagement is currently being demonstrated by the Malaysian government. Being the world's second largest producer of palm oil, Malaysia is facing a huge challenge following a resolution voted in April 2017 by the European Parliament to ban the exports of palm oil into the EU. Furthermore, the Parliament's Industry, Research and Energy Committee (ITRE) in November 2017 endorsed the ban on palm oil biofuels under the revision plan of the EU's Renewable Energy Directive (RED II). The central issues raised included deforestation and climate change.

Given this unfavourable circumstance, Malaysia is engaging more actively with key stakeholders including nation-states and non-state actors alike. Instead of addressing its concern independently, Malaysia is coordinating joint efforts with Indonesia, currently the world's largest palm oil producer; partnering with palm oil industry players in Europe through an NGO called the European Palm Oil Alliance (EPOA); leveraging key opinion leaders in Europe; and engaging with the end-users of palm oil products in Europe through media platform such as TV shows and campaigns. This multifaceted approach is very much in congruence with the spirit of embracing the 4IR. Considering the current technological limitations and the lack of available resources, we have yet to witness the extent of the 4IR in its full scale. In the near future, with the advancement of satellite imaging and the increasing inter-connectedness among stakeholders, alternative evidence could also be presented by Malaysia to protect its interest.

## CONCLUSION

The three instances partly if not fully, demonstrated the impact that the 4IR is having on 21$^{st}$ century diplomacy. Diplomats will spend more time negotiating matters related to cyberspace; big data will demand MFAs to engage more actively in public diplomacy; and nation-states will broaden its engagement with non-state actors. These trends exemplify the unavoidable changing state of affairs at the international level which was substantially untouched during the previous three industrial revolutions.

Industries, being the driver of growth in the 4IR, are preparing and adapting to this emerging landscape. To ensure the people receive the full benefit and for risks to be minimised, governments must not lag behind. As policy makers, their open-mindedness and innovative approach would largely determine the living condition of the population in the future. In an age where robots would be humanised and humanity being redefined, harmonised integration and comprehensive partnership among multi-stakeholders is key to achieve the balance.

Realising the grave importance of the 4IR, more governments have started to incorporate the elements of the 4IR in their policies. Other than Germany, President Moon Jae-in of South Korea had launched the Presidential Fourth Industrial Revolution Committee in October 2017 which aims at synchronising a people-centred 4IR alongside the ongoing government's policies (Jiae, 2017). In Southeast Asia, Malaysian Prime Minister Dato' Sri Najib Tun Razak had also emphasised that the National Transformation 2050 (TN50) vision was essentially planned with the view of empowering the younger generation in facing the 4IR. Singapore, who is the chair of ASEAN this year, is also devoting its chairmanship towards developing a digital resilient and innovative ASEAN.

Apart from embracing the 4IR, this new era will also bring new security threats that are trans-boundary in nature such as climate change, food shortage, epidemics, environment degradation, cyber-threats and terrorism. The writer strongly believes that if the noble intentions of all parties are honoured, the solution to those threats could be explored through the opportunities that the 4IR will provide for humanity.

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# North Korea: The Evolution Of State Ideology Under The Three Kims

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## ABSTRACT

State ideologies, though presented as the collective will of the people, do not always represent the ethos or wishes of its citizens. In most circumstances, state ideologies are political tools for governments to gain power or retain their control over the society (Althusser, 1970). This is highly apparent in North Korea, where state ideologies are utilised by the three (3) successive Kims to gain, legitimise and secure their power in the Hermit Kingdom (Kim Hyung-Kook, 2011).

The aim of this paper is to examine how Kim Il Sung, Kim Jong Il and Kim Jong Un brought North Korea's state ideology into various stages of evolution to serve their respective political needs. The scope of this paper spans from the beginning of Kim Il Sung's rule to the latest successor of the Kim dynasty, Kim Jong Un. This paper will be divided into four (4) main parts. The Introduction will provide a definition of state ideology and how it is merged into the ideological state apparatuses. This is followed by the analysis on North Korea's home-grown ideologies and its overall ideological framework. The third part will follow the development of the state ideology chronologically from the era of Kim Il Sung to the age of Kim Jong Un. The paper concludes that the Kim dynasty will constantly reshape the state ideology of North Korea to reflect the current challenges and setbacks to sustain their grip on North Korea.

*Keywords*: Korea, Democratic People's Republic of Korea, Republic of Korea, Korean Peninsula, State Ideology, Juche, Communism, Propaganda

## INTRODUCTION

To foreigners, the Democratic People's Republic of Korea (DPRK) or North Korea has almost always been presented as a 'crazy' and 'strange' (Fish, 2017) by the media, epitomised by its successive leaders: the three Kims, i.e. Kim Il Sung, Kim Jong Il and Kim Jong Un. Despite their lack of appeal outside of North Korea, their position and image remained intact within the country owing to the state ideology that legitimised their rule.

Amplified by the state apparatchiks, it is difficult not to overstate the bearing of state ideology on North Korean individual and national psyche. Indeed, Paul French (2007) argued that the social control measures in the country are extremely severe. The state has

an absolute control over the information within the country, making it the most extreme country in the world when it comes to social control. Compounded with the intense use of propaganda and strict social control measures to impart state ideology, the framework has enabled the Kims to endure and sustain their iron fisted rule. The paper also scrutinises in point how the Kim(s) cult of personality – handcrafted to fit each of its leaders to legitimise their rule.

## STATE IDEOLOGY AND PROPAGANDA IN THE CONTEXT OF NORTH KOREA

In order to thoroughly examine the use of ideology and propaganda as the main tool to sustain its survivability, it is necessary to establish a definition of state ideology and propaganda within the North Korean context, particularly the use of strict measures of social and information control and how it reinforces the effectiveness of the ideology and propaganda.

The country is not known as the hermit kingdom for nothing: for decades since its inception, the country remains an enigma to most of the world. Foreigners, relying on antagonistic press (be it American, Japanese or Korean) often have only a shred of understanding of the history, narrative, worldview and zeitgeist of the citizens of North Korea. To understand how the Kims forced the state ideology to evolve through time, it is essential that the concept of state ideology and several basic state ideologies of North Korea are first understood.

## STATE IDEOLOGY

One of the prevailing notions in Marxist thoughts is the idea of state ideology as a form of 'false consciousnesses'. This refers to the concept whereby Ideology is understood as a form of 'mystification' of the lower class by the oppressing class. Much like Orwell's 1984, ideology is seen as preventing the oppressed from seeing and understanding the nature of their oppression. Rosen (1996) pointed out the irony of Marxists utilising this form of oppression despite condemning it as a form of cognitive dissonance.

Althusser (1970) built on the works of Jacques Lacan to understand how ideology functions within the framework of society. He also proposed the concept of the ideological state apparatus to explain the way how states spread and bulked their ideological grip within the society. Althusser moves away from the aforementioned Marxist understanding of ideology, particularly regarding false consciousness. Althusser finds affinity in Lacan's understanding of "reality", i.e. the world we construct around us is based on symbolism. In North Korea, it can be argued that the state has hijacked the individual's reality within the country and form an environment where only the state sanctioned reality exists.

## THE MYTH OF MOUNT BAEKDU BLOODLINE

One of the stark characteristic of North Korea's leadership is that it becomes the only hereditary Communist country. Under the initiative of Kim Jong Il, North Korea has taken

measures in two (2) directions in an attempt to legitimize another hereditary succession to state leadership, with respect to Kim Jong Un. Firstly, in order to stake his legitimacy as rightful heir, Kim Jong Un continues to assert the prominence of the "Mangyongdae bloodline [Kim Il Sung's birth place] and the Mount Paektu bloodline [Kim Jong Il's birth place)." A photo of a poster taken by a Taiwanese photographer, Hanming Huang, in Wonsan of Kangwon Province in September 2009, revealed the North's strenuous effort to propagate to North Korean citizens the status of Kim Jong Un as the sole successor to the suryong or leadership. The Wall newspaper, under the headline "The Glory of Our Korean People Enjoying the Blessings Originating in a General (referring to Kim Jong Il) and a Four-star General (referring to Kim Jong Un)," read: "Young General, Comrade Kim Jong Un, who has preserved the bloodline of Mangyongdae and the bloodline of Mount Paektu … Shining bright eternally is the way laid before Kim Il Sung's People…".

## SURYONG AS THE MAIN NUCLEUS OF KOREAN IDEOLOGY

North Korea's current political system rests on the "Suryong" ideology. This ideology, implemented and propagated by the state apparatus can be defined as a "system whose purpose is to perpetuate the guidance of the leader through hereditary succession," (Terry & Wood, 2014). While North Korea borrows the foundation of its system and ideology from Marxism-Leninism, it has cultivated its own version – pinned by Sino-Japanese-Korean influence, particularly Confucianism. This gave birth to the Suryong ideology, whereby it prescribed the fundamental basis of political authority within the country into the hands of the leader.

## JUCHE

Juche literally means self-reliance. As a political philosophy, it entails utter independence to the exclusion of any kind of outside influence. This ideology which was put forth by Kim Il Sung in a 1955 speech served to paint himself as the only bulwark against foreign intervention. Delivered in the aftermath of the Korean War, Kim Il Sung stated that "all ideological work must be subordinated to the interests of the Korean revolution." This essentially meant that the state, its leaders and its political vision come before the interests and identities of individuals.

Juche was not formed in a vacuum, as neither Kim Il Sung's charisma nor state apparatus could embed the Juche ideology effectively into the psyche of North Koreans. As such, Juche was engineered to reflect the population's fierce sense of nationalism. Kim also used the siege mentality psychology in his politics in creating Juche. This further bolstered the nationalistic self-reliant consciousness of the North Koreans. In fact, the usage of nationalistic imagery had made some to compare his regime to a fascistic one rather than a Communist regime. A speech delivered by Kim Il Sung in 1969 for an example, gave a clear instance how the regime utilised fierce Korean nationalism (a product of the Japanese colonialism and the Korean War) as the main building material of Juche - "as far as the Korean revolution is concerned, Koreans know about it better than anyone else. The masters of the Korean revolution are the Korean people and our own strength is the decisive factor in its victory . In order to ensure that the Korean revolution is a success, its

masters, the Korean people themselves, must use their brains, solve all problems that arise through their own efforts and settle them in conformity with the interests of the Korean revolution."

Korean history scholar, Donald Baker argued that Juche as it is now understood in the regime demands unconditional loyalty from its citizens — and has "evolved into a functional equivalent of religion", sustaining the powerful grip of the Kims over the psyche of the North Korean people.

## SONGUN

Songun politics is rooted in the military-priority ideology that embodies the Juche idea. In other words, it is an extension of the Juche idea, and was mooted by Kim Jong Il. Official publications often attribute the idea of Songun to Kim Il Sung, to the extent of portraying him as 'the outstanding leader of the Songun revolution'. Yet albeit the hefty references to Kim Il Sung – the official mouthpiece credited Kim Jong Il for the formation of Songun "based on a scientific analysis of the changed situation". This is the first tell-tale sign that the regime is prepared to force the state ideology to evolve to fit the leadership's political aim. The 'bridging' of these two ideas made Juche and Songun both inseparable in the running of the state during and after Kim Jong Il's reign. The official line underscores that Songun is predicated on the principles of Juche, and Songun has served to advance the idea of Juche to a higher plane by giving it realistic nuances. Songun is also said to be a part of the state ideology's constant process of evolving towards perfection. In essence, Songun marks the evolutionary period of state ideology during Kim Jong Il's reign. While it is impossible to understand Kim Il Sung's North Korea without understanding the principles of Juche, it is impossible to understand Kim Jong Il's North Korea sans the proper comprehension of Songun.

## "TEN PRINCIPLES OF THE ESTABLISHMENT OF THE ONE-IDEOLOGY SYSTEM OF THE PARTY"

The "Ten Principles of the Establishment of the One-Ideology System of the Party" is one of the first ideologies laced with regulations that were mandated by the state in 1974. The *Principles* will give us an overview how an ideology is used by the two different Kims to their own advantage – and how it had enabled them to capture the hearts and minds of the populace.

The origin of the *Principles* dates back to 28 June 1967, where the ideology was proposed by Kim Young Joo, Kim Il Sung's younger brother and organizing director of the Workers' Party Central Committee. The idea was later 'hijacked' by Kim Jong Il, who sought to centralise the power to his father and himself. Kim Jong Il inserted Article 10.1 into the *Principles*, which declares, "the entire party and society will adhere strictly to the one-ideology system, and establish the one and only leadership of the Central Party so as to complete in shining glory revolutionary achievements of the Great Leader." It should be noted at the time, 'Central Party' was how the high echelons of North Korea referred to Kim Jong Il.

After much cajoling and deliberation in the Politburo, the *Principles* were laid out to the public on the eve of Kim Il Sung's birthday in 1974. In fact, not only were the Principles introduced to the public - ordinary citizens are also mandated to memorise the *Principles*, which run as follows:

i.     We must give our all in the struggle to unify the entire society with the revolutionary ideology of the Great Leader Kim Il Sung.

ii.    We must honour the Great Leader comrade Kim Il Sung with all our loyalty.

iii.   We must make absolute the authority of the Great Leader comrade Kim Il Sung.

iv.    We must make the Great Leader comrade Kim Il Sung? revolutionary ideology our faith and make his instructions our creed.

v.     We must adhere strictly to the principle of unconditional obedience in carrying out the Great Leader comrade Kim Il Sung's instructions.

vi.    We must strengthen the entire party's ideology and willpower and revolutionary unity, centering on the Great Leader comrade Kim Il Sung.

vii.   We must learn from the Great Leader comrade Kim Il Sung and adopt the communist look, revolutionary work methods and people-oriented work style.

viii.  We must value the political life we were given by the Great Leader comrade Kim Il Sung, and loyally repay his great political trust and thoughtfulness with heightened political awareness and skill.

ix.    We must establish strong organizational regulations so that the entire party, nation and military move as one under the one and only leadership of the Great Leader comrade Kim Il Sung.

x.     We must pass down the great achievement of the revolution by the Great Leader comrade Kim Il Sung from generation to generation, inheriting and completing it to the end.

The *Principles*, comprising of 10 articles and 65 clauses, describe in detail through each clause how to go about establishing the one-ideology system. To reduce the memorisation of the *Ten Principles* to mere lip service offered by the citizens would be a mistake. A majority of North Korean defectors attested that the Ten Principles are the most important guiding principles in the North Korean society. The *Principles* affect their daily lives as they underlined the personal ideals that every North Korean should ascribe to. In fact, self-criticism sessions were usually held to measure oneself against the ideals or values prescribed by the *Principles*.

## PROPAGANDA

According to F. C. Bartlett, "propaganda is an attempt to influence public opinion and conduct – especially social opinion and conduct – in such a manner that the persons who adopt the opinions and behaviors do so without themselves making any definite search for reasons." He added that propaganda almost always appeals to emotions which in turn subvert reasoning. Historian Kenneth Osgood defined propaganda as "any technique or action that attempts to influence the emotions, attitudes, or behavior of a group, in order to benefit the sponsor."

The usage of propaganda by totalitarian regimes is often referenced to, both in history and fiction. In history, Joseph Goebbels who served as the Reich Minister of Propaganda was highly prominent. In George Orwell's 1984, propaganda is coordinated by the Ministry of Truth. Despite being prominent in history as well as dystopian fictions, propaganda remains difficult to define and scholars agree that there is not a real consensus on the true definition of the word.

It is perhaps instructive to understand propaganda as outlined by its most notorious theoretician-cum-practitioner, Joseph Goebbels, who outlined a number of propaganda principles. The first and most important tenet emphasised by Goebbels is that the ideology that one aims to propagate must connect and resonate with something the target set already feels strongly about. Various methods must be employed to bridge to those sentiments on multiple levels, nurturing positive attitudes towards the ideology that is to be propagated. While foreigners might perceive North Korea's propaganda as 'too obvious', it works in the North because it resonates well with Korean fierce nationalism, appealing to the citizens' emotions and offered them plausible explanations for things they don't understand. This is further compounded by the fact that information is highly regulated in the regime.

Another principle outlined by Joseph Goebbels is that, "a propaganda theme must be repeated, but not beyond some point of diminishing effectiveness". This is corroborated by Randal Martin, who states that "the use of repetition of emotively charged words, slogans, monuments, and other imagery influences people through prestige and contagion, leading to irrational or not fully rational acceptance of another's power over them." This is

highly apparent in North Korea, whereby certain opinions, such as Juche and Songun are repeated as the leitmotif in the state's presentation of the news, creation of monuments etc. Add in an element of appeal towards the target's sense of superiority – propaganda becomes much more palatable and easily consumed. This is the reason why the rallies, celebration, repeated nationalistic songs and slogans venerating the regime appeal to North Koreans – they centred on the idea that Koreans, specifically North Koreans – are the greatest people on earth. Though these might seem like propaganda overkill by outsiders, a nation that has been constantly 'humiliated' in history (and notion that is almost always ingrained by the regime) – such preposterous rallies and buntings are acceptable as means to boost their national morale. For this paper, I will define propaganda as the technique of deliberate mass persuasion used by the North Korean state in order to influence and shape the worldview of North Koreans to be in-line with the state doctrine or ideology. This will reinforce the Kim dynastic grip on this country.

The effect of North Korea's meticulous propaganda can be observed in North Korea and even in communicating with North Koreans, as observed by many scholars. The state propaganda consistently reiterates the brilliance of Korea, Koreans and North Korean leaders since the 1950's, turning "ridiculous facts" into gospel truths. Topped with regulated access to outside information – the ideology becomes a belief system for North Koreans of all stripes.

## ANALYSIS

The historical background, cultural context and values of North Korea can be traced back to its roots in Sino-Japanese culture, particularly Confucianism, other than Marxist-Leninist ideology. The similarities and differences between the two Koreas can be traced back to the time when the two Koreas were once a unified country, initially under Chinese suzerainty and later occupied by the Japanese. The Russians (or rather, the USSR) liberated Korea from the Japanese by entering from north, and the Americans from the South. This marks the beginning of the separation of the peninsula.

On 15 August 1945, Kim Il Sung returned to North Korea as a Soviet army captain. The Russians wasted no time by setting up a governing body in the north, heading the first centralised government in February 1946, based in Pyongyang. As most of the successful Koreans have fled to the American side of Korea (read: Seoul), this left Pyongyang with a political lacuna that served Kim Il Sung's advantage. Kim Il Sung continued to consolidate power and eventually assumed the leadership of the Korean Workers' Party in 1949. The Russians planned to have Kim Il Sung as their obedient leader, adhering to the dictates of Moscow and subscribing to the Soviet's interpretation of Communism. In essence, Moscow saw him as a strongman that would rule Korea on their behalf. But the acute Kim Il Sung has other ideas.

## KIM IL SUNG: GREAT LEADER SETTING UP A STATE

Kim Il Sung became the President of North Korea in 1972 through the amendment of the North Korean constitution, and held that position until his death in 1994. Kim Il Sung falls under the category of both strongman and implementer (Migdal, 1988), i.e. one that

implements the will of the central Soviet government in return of the central support. However, unlike other 'vessel states' of the USSR, Kim Il Sung's ascend to power was within the backdrop of political lacuna in the north, leaving him as the undisputed leader of the newly formed state machinery. If Migdal is to be believed, Kim Il Sung stood in a politically demanding position: finding himself cornered to implement the centralised ideas of the Soviets, local power players (Yanan and Soviet factions) and the people. In the following paragraph, this paper will illustrate how Kim Il Sung fell back on ideology to maintain and secure his power.

Although the Russians played a vital part in putting Kim Il Sung on the pedestal of power and developing the state's apparatchiks, Kim Il Sung was able to shed the Russians (and later the Chinese) influence from the North Korean government. To do this and to legitimise his rule among the North Koreans, he had introduced the idea of Juche – one that was built on fierce Korean nationalism. Myers (2010) mentioned that "Korean nationalists do not seriously believe that they were never aided by foreigners. Rather, they think that because the aid was motivated by self-interest, it is not historically meaningful, nor does it warrant grateful acknowledgement." This idea is combined with the illustration of Koreans as an innocent race, needing a 'father figure' to protect it from the dangers of the world. The emergence of such notion paved way for Kim Il Sung to be the 'sole saviour' and 'guiding father' of the Korean race in the North.



**Figure 1:** Unlike his Eastern European counterparts, Kim Il Sung played a much more prominent role in developing his country's ideology – to the extent of overshadowing Karl Marx himself.

To further emphasise himself as the sole survivor and undisputed leader of the Koreans, he hammered the idea that Koreans only have themselves to look up to for salvation. In other words, he being the leader of North Korea is 'the' hope that Koreans are looking for. The idea of self-reliance eventually found its way formed as Juche, first appeared in a speech given by Kim Il Sung entitled "On Eliminating Dogmatism and Formalism and Establishing Juche in Ideological Work" in 1955. The speech consolidated his power in North Korea, as it was delivered to promote a political purge in the Politburo – erasing the factions that might be propped by the Soviets and China to take over the leadership of North Korea. This purging of the Korean Workers' Party (KWP) from such factions is later referred to as August Incident, officially recognised as the "Second Arduous March". Throughout the years, the Soviets and the Chinese had less and less leverage over actions of Kim Il Sung – to a point that North Korea introduced its own version of socialism, "Socialism of Our Style" – a term familiarised by Kim Il Sung to illustrate the Juche ideology.

## KIM JONG IL: DEAR LEADER PREACHES SONGUN

Upon his ascendancy to power on 8 October 1997, attributes and achievements which were accredited to the Great Leader began to be transferred to Kim Jong Il, along with the rein of the state. While some were subtle or even vague, come propaganda were rather direct in their messaging, with slogans such as, "Kim Il Sung is Kim Jong Il," plastered across the country.

The official leitmotif of a 'child-like nation' being guided by their leader is now reworked to fit Kim Jong Il as the new leader, creating a new framework for the state propaganda. While Kim Il sung had always been casted as the nation's father figure, leading the country towards self-reliance, Kim Jong Il took the role of a 'mother'. In other words, the 'mother' is now protecting the nation now that the 'father' is gone. Myers (2010) also posited the idea that his pudgy, more feminine and shorter physical appearance as compared to Kim Il Sung may be the reason why he had appealed to his feminine side to woo the Koreans.

In essence, Kim Jong Il was the maternal figure holding the orphaned nation after the loss of the father. The usage of this symbolism was observed in one of the excerpts published by the state's official news network, the Korea Central News Agency (KCNA):

*"Held together not by a mere bond between a leader and his warriors but by the family tie between a mother and her children, who share the same blood and breath, Korea will prosper forever. Let the imperialist enemies come at us with their nuclear weapons, for there is no power on earth that can defeat our strength and love and the power of our belief, which thanks to the blood bond between mother and child create a fortress of single-heartedness. Our Great Mother, General Kim Jong Il!"*

The references to him as a mother figure were meant lay the framework for the future and endear him as the necessary second leader of the innocent race. However, to ensure that his citizens actually do feel safe under the rule of a 'mother', he had conceptualised the idea of Songun – or military first.

Indeed, though the emphasise on military and defence had been at the forefront of Kim Il Sung's national agenda, only Kim Jong Il found the need to rebrand the policy into an ideology. Under Kim Jong Il, the Korean People's Army was significantly enlarged and includes the navy, air force, and special forces – ballooning to an estimated number of 1.2 million members. These military assets and capabilities were showcased constantly on parades – to be witnessed by the world.



**Figure 1**: Kim Jong Il holding the weeping nation together after the passing of Kim Il Sung.

While all of these are rather 'Soviet' from the outset, intrinsically they are not. Songun, an ideological product of Kim Jong Il also emphasised on the securitisation of culture – expending the ideology beyond the defence of its borders. Indeed, since the early days of Kim Jong Il, North Korea has shifted towards an increasing use of Confucian norms in public policy and everyday life. Kim Jong Il had also legitimised the state through reference of ancient Korean kingdoms, particularly the Joseon Dynasty.[1]

## KIM JONG UN: THE MARSHAL MARCHES FORWARD

Kim Jong Il's sudden death caused alarm among those in the region, particularly South Korea. Should the North Korean regime collapse, there will be an influx of 24 million refugees moving into both China and South Korea.

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1 Up until today, North Koreans ref er to themselves as Joseon-saram, or the people of Joseon Dynasty. South Koreans refer to themselves by their ethnicity, the Hans (Hanguk-saram)

Kim Jong Un became the leader of North Korea at a tender age of 26, making him vulnerable to the manipulation of the senior officials in the government and military. In a brute show of force to counter such situation, Kim Jong Un had his own uncle Jang Song-Thaek killed and his brother, Kim Jong Nam, assassinated. For now, it seems that Kim Jong-un is determined to proceed with the established policies and ideologies of its predecessor. Unlike Kim Jong Il who had to form a new basis of ideology to legitimise his rule, Kim Jong Un found that these ideologies remained adequate for him to control the country.

Kim Jong Un sported the iconic Mao suit, and the party 'granted' him the title of Chairman, akin to Mao. The entire political setup and trappings were also identical to Mao. Kim Jong Un was made the Chairman of the Central Committee of the Workers' Party and the Central Military Commissions. The basis to build his own cult of personality was immediate. As every media available; newspaper, book, magazine, radio and television broadcasts are all state sanctioned – the process of grooming the citizens to accept Kim Jong Un as the next new leader comes easy.

On top of that, the entire populace have been imbued with state ideology since before Kim Jong Un was even born. This ideological framework made it easy for North Korea to accept Kim Jong Un as their new unparalleled leader. North Korea's unique state system, built upon the mixture of Juche and Songun (military first) ideologies was constructed during the reign of Kim Jong Un's predecessors. These ideologies have exerted a comprehensive influence on the country's socio-political and socioeconomic development for decades, and as such still hold a huge amount of influence on the current state of affairs in North Korea. To restructure the ideology means restructuring the power base and societal hierarchy within the country – which is not in the interest of the young Kim Jong Un.

While it is still too early to tell, some historians such as Michael Brabazon argued that North Korea will take on a more traditionalist/conservative ideology to legitimise Kim Jong Un's rule and actions. Brabazon also argued that, "the lack of understanding of the real nature of Juche, a nationalistic religious cult, mistaking it for Marxism, continues to be the precursor for disastrous U.S. responses. Developing nuclear weapons is primarily a statement of national independence." He concluded his assessment by underlining Kim Jong Un's vision to continue what his father and grandfather had envisioned, to see the dynasty "as the prophesied royal lineage," of the lost Joseon Empire. This strange departure from Marxism is not new nor is it surprising, as it has been consistently argued in this paper that ideologies merely serve to justify the rule of the three Kims.

As mentioned earlier however, whatever approaches undertaken by Kim Jong Un or whatever image that he wants to portray - the citizens of North Korea would most likely still put him on the pedestal. The state ideologies' permeating influence on civic life, individual and national psyche throughout the decades have groomed the citizens to look at their political leaders as heroes of mythic proportion, if not leaders with god-like attributes. The absence of religion in North Korea is replaced by blind faith towards its leaders. The North Korean regime's distrust towards religion also highlighted North Korea's worldview that

seeks to replace religion with obedience towards the state. Kim Jong Un, as such is viewed by the 'faithful' as the main protagonists of an epic myth that begun with the heroic feat of the great Kim Il Sung. It is further helped by his physical appearance that resembles Kim Il Sung. Unlike his predecessors however, there is no need for him to craft a new ideology to legitimise his rule. Kim Jong Un only has utilise his predecessor's ideological framework and image to legitimise his rule and preserve the dynasty's survival. Unless the credibility of this narrative is challenged within North Korea, or if there is an imminent threat to the survival of the dynasty and regime, the ideological framework would remain the same.

## CONCLUSION

North Korea's ideology, while appears to be static to outsiders, is rather flexible to fit the political needs of the Kims. Its ideological rubric, setting the tone for its propaganda has always been paramount to the survivability and longevity of the Kim regime in North Korea. The state ideologies continue to influence the psyche and worldview of its citizens by using the state propaganda machinery, especially by playing upon their own prejudices and fierce nationalist tendencies vis-à-vis the Korean race.

The strict social control apparatus in lieu (such as the weekly meetings of the Politburo to reaffirm their ideological zeal), combined with the closed information environment, will give continued life support to the Kim dynasty at the expense of the population. Ironically, as mentioned by Marx – the North Korean regime continue to ensure its people living in 'false consciousness', preventing the North Koreans from realising the true nature of their oppressed conditions. Though Kim Jong Un may have appeared to be modern and open in his outlook, it is highly unlikely that he will burst the bubble of false consciousness enveloping the country. Any changes brought by him will be superficial, as he would not want to 'rock the boat' created by his two predecessors. The fast-paced geopolitical shift in the region, particularly the influence of the United States and China in the region will further witness Kim Jong Un clinging tighter unto power and further relying unto state ideology and propaganda to prop up his rule.

The three Kim leaders may seem to espouse different sets (or different spectrums) of ideology but the essence of their main objectives remain fundamentally unchanged, i.e, to stay in power, retain the power structure within North Korea and maintain the hegemony of the dynasty. This mirrors the main impetus of North Korea's foreign policy to maintain the strategic goal of regime preservation (Ricks, 2017). In this regard, it can also be said that both its foreign and domestic policies are subservient to the main goals of preserving the regime, the power structure of the party and the dynasty.

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