LABOUR AND GRASSROOTS CIVIC INTERESTS IN REGIONAL INSTITUTIONS

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Abstract

This paper offers a fairly comprehensive, though not exhaustive, survey of civil society and regional institutions in Asia. The study analyses the interests and strategies adopted by labour and grassroots civic groups operating at the Southeast Asian, South Asian, broader East Asian or Asia-Pacific levels, and to a lesser degree, at the Central Asian level. Based on its analysis, the paper makes the following observations.

First, there is a growing and vibrant regional civil society space in Asia in which a variety of civil society organizations (CSOs) participate to advance a wide range of causes using different strategies that may be categorized into three types: (a) advocacy activities through regional networking amongst CSOs; (b) civil society parallel summits that track official summits of regional institutions; and (c) civil society functioning as partners of states and regional institutions. Issues addressed by regional CSOs tend to fall within the following broad categories: (a) economic rights and exclusions, including those related to labour and land rights; (b) political change, democratization and human rights; (c) sustainable development and environmental causes; (d) gender issues; (e) poverty, development, trade and globalization; (f) regional economic liberalization and economic integration arrangements; and (g) peace and human security. A second observation is the crucial role played by information, ideas and knowledge in the various approaches adopted by regional CSOs to advance their respective causes, with some successes in advocacy attributed to these superior informational resources. A third observation is the common practice amongst regional institutions to accord privileged status to business networks even though these institutions have become more willing to engage with regional civil society. A fourth observation emphasizes how information and knowledge creation and dissemination by CSOs can help them to play a key role in enhancing the *quality* of regional institutional governance, defined as the *effectiveness* of governance institutions as well as the *accountability* of these institutions to their stakeholders. If institutional effectiveness and accountability depend on having more external checks on information as well as more independent information, then CSOs are one category of international actor to which such responsibilities may be delegated in international institutions.

This study's primary recommendation is for regional institutions to be restructured to accommodate the inputs of CSOs and indeed, to foster the development of local CSOs in Asia, for two reasons. CSOs can enhance institutional effectiveness because they offer new information as well as alternate perspectives and knowledge on a problem, thereby enhancing the chances of finding an effective and equitable solution to the problem. CSOs can also enhance the accountability of regional institutions to their stakeholders provided regional institutions put in place institutional accountability mechanisms such as those emphasised by One World Trust in its Global Accountability Reports. 'Bottom-up' accountability mechanisms in which stakeholders and their CSO representatives can bring claims against regional institutions should be matched by top-down accountability frameworks such as internal evaluation mechanisms.

1. Introduction and Key Study Questions

Asia is currently home to a variety of institutional arrangements aimed at addressing the growing array of transnational problems that Asian states and societies collectively face, particularly in a globalizing world that has expanded the range of interdependencies between states and peoples and in which external rules increasingly impact on life within states. Because of their aim in addressing shared problems, these regional institutions[1] function as *governance* arrangements through which participants attempt to arrive at common understandings of shared problems, devise possible ways of addressing them, and allocate institutional resources to manage these problems. What is significant about these governance arrangements is their diversity not only in terms of the issue areas or agendas they address but also in terms of who participates in them and their institutional form or design. In fact, Asian regionalism appears to conform to what scholars have identified as the 'new regionalism', a set of multidimensional forms of collaboration spanning economic, environmental, social, political and security issue areas, involving not only states but a variety of non-state actors from the private sector, the academic world of research institutes, universities and think tanks, and, to a far lesser degree, non-elite actors such as labour and grassroots civic groups[2] (Cox with Sinclair, 1996; Hettne, 1999; Grugel, 2004).

Since the late 1980s, the number of civil society organizations (CSOs) operating in Asia has grown tremendously, a significant proportion of which focus on domestic issues and problems in the countries in which they are located. Likewise, labour activism remains, to a large degree, nationally-focused. But, networks of CSOs operating transnationally across borders have also expanded in tandem with the growth of regional institutions in Asia. While it is difficult to establish a causal link between the two phenomena with any great certainty, it is nonetheless possible to argue that the growth of civil society activity in Asia, as with the expansion of regional institutions, are parallel responses to the challenges and problems arising from the growth of global and regional interdependencies that require collective action beyond national borders. But, civil society activity has also been targeted at specific agendas of the region's various institutions, including those of the Asian Development Bank (ADB). Moreover, domestic-focused CSOs and labour groups in this region also choose to operate across national boundaries in regional spheres if they find that the regional sphere offers a more accommodating environment for them to organize, operate in and be heard compared to national spaces. In fact, civil society activists do have a tendency to shift the scale of their local and national contentions to the regional (and perhaps even global) level in order to both engage different sets of authoritative actors and to re-frame and therefore legitimize local claims as broader, even universalist ones (Tarrow, 2005: 120-40). In turn, CSOs working on global governance issues and problems often localize their activities as they link their global agendas to related local issues and situations, in effect working through bottom-up

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[1] Although institutions are sometimes equated with formal organizations, they are best regarded more broadly as "sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given issue area" (Krasner, 1982: 186). In this formulation, international organizations are a subset of international institutions. International institutions aid cooperation by allowing for regular interaction and information exchange among institutional participants, a framework of principles and rules about how members (and others) should behave with respect to a particular issue, and procedures for how institutional participants set agendas as well as make and implement decisions.

[2] This paper uses the term 'grassroots civic groups' interchangeably with the term, 'civil society organizations' (CSOs), which are defined to include loose groups of civil society actors acting collectively as well as formalized, non-governmental organizations (NGOs).

processes to effect global change. The end result is the consolidation of a networked, transnational civil society space linking local, national, regional and global levels that adds to the complex of regional governance arrangements in Asia.

A number of questions may be asked about these trends in regional civil society and labour networking and their engagement with regional institutions in Asia:

a) What is the nature of CSOs and labour groups in Asia, what are their key areas of concern, and what strategies do they adopt to advance their respective causes? How much variation is there in the way CSOs and labour groups operate across different Asian countries?

b) To what extent can we say that a regional civil society exists in Asia, what key substantive issues do groups operating in this realm raise with regional institutions and how do these groups act in order to advance their respective causes? Have regional institutions been structured in ways that encourage and facilitate their engagement with CSOs and labour groups?

c) How might the involvement of these groups affect the working of regional institutions, in particular their effectiveness in addressing the transnational and domestic challenges facing the region's states and peoples and their accountability to stakeholders? In short, can CSOs and labour groups make a difference to the quality of regional governance?

d) If non-elite groups are valuable actors in regional governance, should their interactions with regional institutions be enhanced, and if so, how can that be achieved?

In addressing these questions, the paper focuses on *non-elite* civic groups as well as non-business actors such as labour. Thus, the paper will not directly address the various elite networks of scholars that are also considered to be part of Asian regional civil society – networks such as ASEAN-ISIS (ASEAN Institutes of Strategic and International Studies), CSCAP (Council for Security Cooperation in the Asia Pacific) or PECC (Pacific Economic Cooperation Council), what has been termed the Track II policy networks that contribute in various ways to regional governance.[3] Although a number of global CSOs such as Oxford Famine Relief (OXFAM), World Wide Fund for Nature (WWF) and even Amnesty International could be regarded as 'elite' actors today given their position at the apex of the civil society realm and the role they are often called on to play in governance arrangements, this study will consider them to be part of non-elite CSOs due to their broad-based membership as well as their sustained links with the grassroots – individuals, groups, communities or the masses whose cause they are advocating – whether directly or indirectly through their respective local chapters or other local CSOs. The paper does not also address business networks in the region.

A core aim of this paper is to explore whether and under what conditions a regional civil society space is taking shape in Asia where CSOs and labour groups collectively organize and through which they attempt to influence both national and regional governance agendas and institutional processes. While referring to this space as regional civil society conveys some sense of its structural, functional and normative features, as an associational realm through which individuals and groups act to influence official policy and forge the good society, a number of scholars have questioned the relevance of the civil society concept to Asia because Asian political and cultural contexts render meaningless the notion of civil society as an autonomous sphere of

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[3] On Track II networks in East Asia, see Acharya (2004), Caballero-Anthony (2005) and Morrison (2006).

organization by non-state and non-market groups, whether taking place inside states or transnationally. It is to this conceptual question that this paper first turns before addressing the main research questions posed for this study.

Following this Introduction, Section 2 surveys the conceptual literature on civil society, asking whether the term is indeed alien to Asia, what analytical and practical gains may be obtained in using such a contested concept, and how the notion of civil society might help us think about enhancing the quality of regional governance and its implications for the regional institutional architecture. Section 3 reviews the literature on civil society in Asia, drawing out in broad terms the experiences of CSOs in different Asian countries and highlighting how political regime type, state capacity and the nature of state-society relations conditions the space within which CSOs operate. Section 4 discusses regional civil society networks and their engagement with regional institutions in Asia, beginning with a very brief survey of the region's complex institutional architecture for regional governance. The discussion goes on to highlight the substantive areas of concern that CSOs raise with respect to regional institutions as well as examines the kinds of engagement strategies such groups adopt in advancing their respective agendas. This section also discusses whether regional institutions have played any role in fostering a regional civil society realm, and whether these institutions have been structured to allow them to engage meaningfully with CSOs in order to improve the quality of regional governance. The final section discusses the implications of this paper's analysis for designing regional institutions.

2. Civil Society in Asia: A Conceptual Exploration

The analytical and practical relevance of the term, civil society, to Asia has been challenged by those who point to its origins in Western philosophy. In fact, even western understandings of civil society can differ, attesting to the complexities of this concept and the difficulties in attaining consensus on its definition (O'Byrne, 2005: 3). Despite its roots in the classical period, it was only during the time of the European Enlightenment that civil society came to represent a 'social realm distinct from the state' (Lee, 2004: 2). For German philosopher, Hegel, civil society was the realm between family and state where individuals are freely able to organize to pursue their diverse economic, social and civic interests and their respective approaches to the good life. However, Hegel also argued that it was only the state as the embodiment of peoples' general will that could ensure the civility of this diverse social realm from its inherent tendency to conflict and instability, thereby positing a dialectical relationship between civil society and a state that sought to tame the former's Hobbesian elements (Lee, 2004: 3; O'Byrne, 2005: 3). Although early Marxist conceptions equated civil society with the economy, most contemporary writings on the subject accept that civil society is a realm outside of the market (O'Byrne, 2005: 3).

Despite this long history in political thought, it was the Eastern European experience of the 1980s that returned the notion of civil society to contemporary political theorizing, particularly in International Relations. Eastern European citizens from the 1970s began to demand a space in which they could organize freely without interference from the communist party-state, entrenching the notion of civil society as an autonomous realm of self-organising individuals distinct from the market and in opposition to the state (Lee, 2004: 4). This particular understanding of civil society and the unsurprisingly antagonistic relationship between civil society and the state in the Eastern European setting raised doubts about the concept's analytical and practical relevance to Asia. Civil society's involvement in Eastern Europe's tumultuous transition from communist to democratic rule

also raised the spectre of similar democratic uprisings in the authoritarian and less-than-democratic states in Asia, thereby entrenching official wariness, and even outright resistance, to CSOs (Alagappa, 2004a: 3).

2.1 Relevance to Asia

More specifically, the analytical relevance to Asia of the civil society concept as an *autonomous* sphere of *voluntary* organization in search of the good life has been questioned on at least three grounds (Weiss, 2008: 145-52): (a) the blurred boundaries of the public and private in Asia, with the state in many parts of Asia actively playing a direct role in establishing civil society and/or in shaping its features; (b) the supposedly distinctive cultural dispositions in Asia, particularly of Confucian and Islamic societies, in which conformity to the prevailing social and religious order as well as acceptance of paternalistic rule and limitations on individual rights mean civil society in the western mould cannot exist;[4] and (c) that aside from voluntary forms of association, ascriptive organizations based on religion and ethnicity abound in Asia in which 'membership is by assent rather than consent' (Alagappa, 2004b: 34). For these reasons, what sometimes is regarded as civil society in Asia cannot meet the exacting definition of the term adopted by comparative politics scholars such as Larry Diamond (1996: 228), for whom civil society is the

> 'realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state and bound by a legal order of shared sets of values…an intermediary entity standing between the private sphere and the state…and not only restricts state power but legitimates state authority when that authority is based on the rule of law'

However, adherence to such strict definitional standards has given way since the 1990s to allow for some conceptual broadening, which in turn has permitted scholars to recognize the existence of a dynamic, often vibrant civil society sector in a variety of Asian political and cultural settings (Weiss, 2008: 145-50).

In line with this conceptual broadening, this study adopts Alagappa's more inclusive definition of civil society as

> 'a distinct public sphere of organization, communication and reflective discourse, and governance among individuals and groups that take collective action deploying civil means to influence the state and its policies but not capture state power, and whose activities are not motivated by profit' (Alagappa, 2004a: 9).

This understanding of civil society does not *a priori* exclude advocacy groups comprising private citizens that are nevertheless either formed by the state or allied to it although not formally a part of the state apparatus.[5] Moreover, Alagappa's definition allows for the inclusion of ascriptive organizations such as ethnic, religious and language groups while his reference to the use of 'civil means' excludes those transnational groups of terrorists or other criminals that advocate violence in order to achieve their goals even though these 'elements of uncivil society' as Richard Price

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[4]See Gelner (1994) and Chan (1997).
[5] Political parties, however, are not considered to be part of civil society.

(2003: 580) calls them may significantly impact on order and governance.[6] Labour unions, although sometimes excluded from definitions of civil society due to their 'self-serving' nature in securing the material interests of union members, have increasingly articulated their views and positions on broader social and political perspectives on the economy even if their primary concern is with employment issues (Spooner, 2004: 19). Nevertheless, their employment focus has led labour groups to advocate on broader but cognate policy issues such as trade liberalization, privatization, and migrant labour, to name a few. In this paper, labour groups are, therefore, included as part of civil society given the broader, 'public goods' aims of many contemporary labour groups.

This broader conception of civil society necessarily points to the inherent heterogeneity of this realm and raises questions about civil society's presumed progressive role in enhancing the quality of governance and promoting democratic change. Empirical evidence reveals that not all CSOs support progressive political and social change (Edwards, 2004; Kiely, 2005) while civil society itself is often a realm of inequalities, power struggles and conflict as much as of cooperation (Alagappa, 2004a: 6). In Asia, CSOs have variously supported authoritarian regimes, religious and ethnic exclusions as well as neoliberal forms of economic organization that can undermine social bonds and entrench economic exclusions (Alagappa, 2004a: 6-7). In Malaysia, for instance, there are civil society groups that oppose the country's Internal Security Act that allows for detention without trial for up to two years as well as groups that support the draconian law.[7] On the other hand, religious groups, often believed to be inimical to civil society with their tendency to exclusive, affective memberships and traditionalist orientations,[8] have at times supported open political systems and inclusive forms of governance (Weiss, 2008: 158-60).

The point is simply that although civil society in Asia may not always be truly independent of the state or act as a democratizing force and a driver of progressive political change, civil society, nevertheless, constitutes a valuable space 'for political engagement and transformation' (Weiss, 2008: 152). The impact of such activities on governance, whether it moves in a more progressive, inclusive and socially just direction or whether governance becomes more exclusivist and inequitable is left open. The notion of civil society, therefore, offers analytical leverage in understanding key issues in domestic and international politics (Price, 2003). It also has practical and normative value. Many people and groups now commonly identify themselves as belonging to civil society as they seek to shape public policy on a range of issues while leaders and officials increasingly pay attention to the idea of civil society and to the groups that identify themselves as CSOs (Alagappa, 2004a: 15). Indeed, civil society has become a valuable empowering framework for activists who find talk of the term's relevance to Asia worrying and misguided (Edwards, 2004).

2.2 The State-Civil Society Relationship: Implications for Civil Society's Governance Role

Contemporary understandings of civil society emphasise the positive relationship between civil society and governance, particularly the quality of democracy, using two models. The neo-Tocquevillean or social capital model understands civil society's role in enhancing democracy and

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[6] Many CSOs themselves eschew the use of violence to attain their goals. For instance, while Amnesty International defends all prisoners against violence (torture, executions), the group excludes from its cast of "prisoners of conscience" those who have advocated violence (Keck and Sikkink, 1998: 15).

[7] *The Sun,* 'Call of ISA rallies, Hishammuddin tells rival groups', 30 July 2009.

[8] On this point, see Gellner (1994: 22).

the quality of governance by instilling in people the democratic civic culture of tolerance, cooperation, solidarity and a 'sense of shared responsibility' (Putnam, 1993: 89-90).[9] A healthy associational life generates social capital in the form of trust and reciprocity amongst small networks of people, paving the way for a more cooperative and progressive society. In this associational model, CSOs can act as allies or agents of the state (or of other authoritative actors), aiding them in discharging their responsibilities to society. In contrast, the neo-Gramscian model adopts a conflictual view of civil society as a counter-hegemonic site from which groups struggle against prevailing values and rule that are seen as unjust, exclusivist or favouring the powerful. In this view, civil society becomes a necessary countervailing power against the state or other authority structures (Lee, 2004: 5). In theorizing resistance and counter-hegemony in the field of International Political Economy (IPE), the neo-Gramscian model sees civil society as the site from which challenges to the [neoliberal] capitalist order emerges.[10] Thus, although the definition of civil society excludes 'for-profit' organizations such as business firms, it is nonetheless a realm that is intimately related to the economy and business.

Both models of civil society have been criticized on a variety of grounds.[11] One of the more salient criticisms in the context of this paper on Asian civil society is the tendency to view the state-civil society relationship in 'either-or' terms. Either there is a zero-sum or conflictual relationship between the state and civil society, as in the neo-Gramscian model, or there is a complementary, positive relationship between the two institutional realms as in the neo-Tocquevillean model. While it is true that civil society and state (or government) may confront each other at times, the two are usually in some form of mutually dependent relationship. In democratic societies, the state provides the legal framework that permits civil society to exist and thrive as an autonomous realm while the latter legitimizes state authority. This is why the neo-Tocquevillean model sees the liberal-democratic state and civil society as complementary; it also explains why earlier notions of civil society were not regarded as applicable to Asia with its many authoritarian governments that limited or prevented private citizens from voluntarily organizing themselves to pursue various public interest goals. Although we now acknowledge that a civil society realm can exist in non-democratic contexts as well, the existence of civil society in these settings more than ever depends on the state, whether in the form of an uneasy tolerance involving co-optation, manipulation or penetration by the state of civil society or a more accommodative stance of the state towards CSOs (Alagappa, 2004b: 37).

Government responses to CSOs clearly depend on the nature of the political regime, and most studies of the civil society phenomenon have emphasized this variable in their studies. It is

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[9] The neo-Tocquevillean model has its origins in the writings of Alexis de-Tocqueville on associational life in the United States of the 19th Century.

[10] Neoliberalism is defined as a set of politico-economic ideas that emphasize the superiority of a self-regulating market for wealth creation and distribution. Specific economic policies associated with neoliberalism include liberalization, privatization and deregulation, all aimed at minimizing the role of the state in the economy and allowing private decision-making to thrive, thereby unleashing efficiencies in allocation, production and distribution. Commitments to employment, social equity, and social stability have been marginalized under neoliberalism in favour of competitiveness and market efficiency as key goals of governance. To its detractors, neoliberalism simply represents 'market fundamentalism' (Stiglitz, 2002). However, a neoliberal governance regime may be said to exist even if there is significant state intervention in markets if an activist state seeks to inculcate in its population the ethic of individual responsibility, initiative, hard work and self-reliance, considered to be hallmarks of the neoliberal philosophy of governing populations (Lemke, 2001).

[11] Alagappa (2004b &c) and Lee (2004) review these criticisms in some detail.

usually the more democratic states that are more hospitable to civil society groups engaging in activities that have a critical component to them and that have the potential to undermine elite power. In these political settings, governments tend to accommodate the range of activities common to civil society, including advocacy, the articulation of new knowledge, especially alternate forms of knowledge that could destabilize prevailing governance arrangements, and even demonstrations and mass protests. In other political settings, CSOs are likely to find themselves confined to delivering services to the poor and other needy groups in society, often in partnership with the state. In this way, civil society enhances the power and capacity of the state to penetrate society and enhance the state's legitimacy. The Singapore government, for instance, has at one time, employed the term 'civic society' rather than civil society to refer to its preferred model of self-help voluntary associations working with the state to address the welfare needs of society (Koh and Ooi, 2004: 173). In fact, the state-civil society relation is best seen as a dynamic one. Not only does the state's response to civil society change along with broader changes in internal politics, state capacity, and external trends, but CSOs themselves have adopted a range of creative strategies for negotiating with the state whilst still attempting to remain true to their normative ideals, group interests and independence (Lee, 2004: 20; Curley, 2007: 190). The paper returns to this point in Section 3.

A second criticism of these two models lies in the presumption that civil society unproblematically achieves a consensus on what the good society should look like. Although civil society enthusiasts writing in the neo-Gramscian tradition acknowledge that civil society is the site from which multiple points of opposition to the prevailing order emerge, there is less discussion on whether a single, counter-hegemonic project is needed for any fundamental transformation in governance and if so, how such a project might emerge from this sea of diverse oppositions. In fact, the tendency is to celebrate the diversity of destabilizations to the prevailing order arising in civil society (see Falk, 2000). Thus, many scholars continue to understand civil society simply as an ethical space that acts as a check on state power and a site for emancipatory politics (see O'Byrne, 2005: 3-4). However, this does not tell us precisely how CSOs achieve shifts in governance regimes – in rules and policies – towards some desired end, and indeed, how civil society reaches a consensus on precisely what that end might be. It is for this reason that Alagappa's definition emphasizes civil society as a realm in which 'communication and reflective discourse' takes place. It is only when argument and deliberation openly takes place amongst the diverse components of civil society – the public sphere phenomenon of civil society – that some reasoned (i.e., civil) consensus will be reached on the contours of the good society (Edwards, 2004: 53-58). Social capital theorists, on the other hand, believe that social capital may be destroyed rather than built up by advocacy groups and mass organizations. This line of thinking, unfortunately, imposes an *a priori* conception of civil society as a source of a particular form of social capital built up through small group interaction that embraces inclusiveness and unproblematically facilitates democracy and open, participatory politics. As one study on civil society and political change in Asia reveals, these forms of small group associations can act in ways that deviate from these normative ideals (Alagappa, 2004e).

Even at the transnational (global or regional) level, there exists a tendency to see transnational civil society and the nation-state (or authority) in binary terms, with the former as good and the state and associated state-based identities and priorities in negative terms (Kiely, 2005: 142). Thus, global civil society has been portrayed as an unmitigated good, a corrective to the defective and/or the neoliberal capitalist state as well as to exclusionary nationalist identities.

However, Kiely (2005: 215) not only cautions against presuming that all forms of CSOs are progressive, he also reminds us that transnational civil society cannot replace the politics of place and of belonging. National politics is often the focus of CSOs that operate regionally or globally, with civil society beyond the state as one additional space through which to advance some common cause. As with civil society within states, theorizing civil society beyond the boundaries of individual states requires that attention is paid to the changing relations between state and society since it is states that shape and condition the space within which CSOs operate, both nationally as well as beyond. However, inter-state relations are also vital when considering how CSOs operate in transnational regional space. In the context of this paper, this means asking whether state-dominated regional organizations like ASEAN in which a strong sovereignty/non-interference logic operates will be able to deviate from the preferences of non-democratic member states unwilling to countenance a larger role for CSOs in regional governance or whether the regional institutional level offers the opportunity for a more accommodating form of response to civil society to develop in the region despite the anti-CSO predilection of some member states.

2.3 A Mixed Model: Civil Society Advocacy Networks as Strategic Actors

As already noted, the social capital model of civil society and the neo-Gramscian model of civil society resistance do not adequately capture agency; they do not offer useful accounts for how CSOs actually function in pushing for desired change in governance regimes. This is where Keck and Sikkink's model of advocacy networks is useful as it highlights the resources and strategies that CSOs use to persuade, pressure and even coerce authoritative actors to review existing norms, policies, and institutions in the public interest (Keck and Sikkink, 1998). This model offers two advantages over the social capital and resistance models. First, the advocacy network model offers us an agent-centric account of how CSOs, working as activists within or across territorial borders, exercise agency through employing a variety of strategies and resources in their attempts to change key aspects of national, regional and global governance.[12] Second, the advocacy network model does not preclude CSOs from allying with the state or some other authoritative actor on common issues, often aiding these actors to accomplish their tasks. Advocacy is not always about challenging those exercising authority; rather, it is as much about informing such actors about some problem not yet visible to policymakers as about contesting the claims, positions and policies of authoritative actors. Both collaboration and resistance, therefore, may be features of civil society advocacy networks, with these processes sometimes occurring in stages. CSOs first advocate on (or contest) some issue – successfully – and then they work with states or regional/global institutions on implementing the solutions adopted for that same issue. The advocacy network model, in fact, can involve CSOs networking not only with other CSOs, but with a variety of other actors ranging from philanthropic foundations, local community groups, media organizations, churches and other religious groups, research institutes and universities, local and national governments, as well as regional and global institutions (Keck and Sikkink, 1998: 9).

How do these multi-actor networks work to achieve change? Communication, persuasion and pressure, based on the information, ideas and knowledge generated by CSOs, are core strategies. Often, information, ideas and knowledge are vital for civil society not only to build coalitions or alliances with powerful actors but importantly, to 'mobilize their own members and affect public opinion via the media' (ibid: 23). In this way, different actors come together in one network with a shared understanding of the problem, end goals and solutions. Network unity is

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[12] Price (2003) provides a useful analysis of a range of studies on how civil society actors influence world politics.

one key reason for the success of some advocacy campaigns, such as the NGO campaign to change WTO rules on intellectual property rights to ensure access to essential HIV/AIDS medicines for poor communities (Sell and Prakash, 2004). These kinds of information-based strategies also govern how these networks engage with their "targets" such as states, international institutions and private sector actors. Engagement can involve not just reasoning with these targets, it often involves 'bringing pressure, arm-twisting, encouraging sanctions, and shaming' (Keck and Sikkink, 1998: 16).

Information, ideas and knowledge as well as discourse are, thus, the most powerful resources employed by civil society to achieve their goals; it is through the provision of alternate sources of information, ideas and knowledge that civil society actors become influential in governance. These include reporting data and empirical facts on issues not commonly available to policy makers, or that challenge policymakers' version of these issues. More fundamentally, CSOs have often been the first to highlight an issue/event that is not even known to the public through their research, information collection and dissemination role. In 1987, the research conducted by the Japan Tropical Forest Action Network (JATAN) on logging activities in Sarawak and their adverse impact on local communities helped end a road construction project in the logging area that had been promised funding by the Japan International Cooperation Agency (JICA) (Keck and Sikkink, 1998: 153). CSOs also engage in the deliberate framing of the facts and information they generate, using particular kinds of language to dramatize or moralize the problem in an effort to convince publics and policymakers to shift their thinking on the issue in question and ultimately to develop solutions to them. Discursively depicting the act of patenting HIV/AIDS medicines as "death through greed", despite the legality of patents under WTO rules, allowed the NGO Access Campaign to shift public opinion, particular in the US, against pharmaceutical companies and helped bring about a change in the way WTO rules on intellectual property rights will be applied during public health crises (Sell and Prakash, 2004).

This does not mean that CSOs do not mobilize other forms of material resources in attaining their goals; mass protests and consumer boycotts that inflict material damage on their targets have been successfully employed by advocacy networks in a variety of issue areas ranging from logging, human rights, dam construction, palm oil cultivation, and whaling, to name a few. However, even the success of these strategies are fundamentally rooted in discursive activities – the reporting, framing and manipulation of information and ideas in ways that draw public attention to an issue or problem, thereby pressuring policymakers to respond in one or another way. Additionally, by identifying different causal relationships from those found in prevailing governance arrangements, CSOs may be able to offer alternative models of governance (Beyer, 2007: 515).

2.4 Civil Society and its Impact on the Quality of Governance

It is not always easy to establish precisely the extent to which CSOs have reformed or transformed governance given the difficulties in disentangling the different contributions to such changes from civil society and other actors in world politics as well as the role often played by unique historical junctures and the presence of political opportunity spaces (Scholte, 2002: 152). Nevertheless, it is possible to identify in broad terms five outcomes of civil society activity in relation to governance arrangements: (a) discursive shifts; (b) agenda setting, including raising new issues; (c) changes to institutional processes; (d) policy changes; and (e) shifts in actor behaviour (Keck and Sikkink, 1998: 25-26; Scholte, 2002: 152-57). Not all civil society activism attains all of these outcomes;

but, achieving one of these may be significant, particularly as any one individual outcome could have a knock-on effect on other aspects of governance (Keck and Sikkink, 1998: 26).

Shifts in the prevailing discourse are amongst the most significant outcomes of CSO activity. This is because discourse is not merely language and rhetoric; discourse is productive in that it shapes the social meaning structures within which we operate, in turn altering incentives and constraints operating on states and other authority figures. Norms of good governance, human rights, sustainable development, and human security are amongst the new notions that have become widely circulated in world politics through the advocacy activities of CSOs. Although these new norms are not uncontested, even within civil society, they have altered the way states, international organizations and publics think about and practice governance; these new norms are now part of the governance framework even if they do not go unchallenged (Scholte, 2002: 153-54). Indeed, a good deal of the contemporary politics of governance involves contestations over these new norms and the changes in policies and behaviour expected as a result.

In turn, agendas may be reformed as a result of these new norms, which also permit the creation of new issue areas as legitimate tasks of governance as well as new institutions. The emergence of a human rights discourse in world politics legitimized the category of human rights activists as well as their advocacy work, including the monitoring and reporting of abuses (Barnett and Duvall, 2005). The evolution of the human rights agenda in ASEAN regional governance is a notable case in point. Although ASEAN rejected the western conception of human rights in the early 1990s by emphasizing the superiority of a regional conception of human rights, and accompanying regional and national mechanisms for its implementation, this move allowed regional human rights advocacy networks to emerge that, though a long and arduous journey, led to the eventual formation of the ASEAN Inter-governmental Commission on Human Rights in 2008. In this case, regional civil society advocacy helped form a new institutional structure in this issue area (Nesadurai, 2009: 106-09). CSO advocacy has also led to reform of existing institutions. The formal integration of CSOs in institutional processes in the World Bank and the ADB since the mid-1990s are cases in point; these institutions have sought to deflect criticism of their lack of accountability to stakeholders by enhancing the participation of civil society groups in their activities. Shifts in policies are another valuable outcome of CSO advocacy although policy changes may not always be implemented. Ultimately, it is change in actual behaviour by states and other authoritative actors that is crucial in reforming governance such that there is a discernible change in people's lives.

To assess the impact of civil society on the *quality* of governance, we need to consider also the extent to which such CSO activity enhances the *effectiveness* of governance institutions as well as the *accountability* of these institutions to their stakeholders. Institutional effectiveness may be linked to substantive targets; effectiveness is enhanced if CSO activity helps institutions review their goals, introduce new agenda items, as well as consider new ways of addressing problems and revise policies accordingly, resulting in the correction of some deficiency or gap in governance. In achieving these substantive targets, the information and knowledge producing role of CSOs is vital in ways that have already been discussed. A second dimension of governance quality – enhancing institutional accountability – relates to matters of procedural justice and the legitimacy of governance institutions. Accountability is about assuming responsibility for one's actions. In fact, it is from the notion of accountability that other measures of good governance, especially of democratic governance, emerge – representation and transparency being the two most significant

(Caporaso, 2003: 366). Two other measures of accountability are how the institution responds to complaints made against it and whether the institution has an effective evaluation process for its policies and programmes.[13] Previously, only limited notions of accountability were in place as international institutions saw their primary responsibility to their founding member states, their core funders, or less often, the entire membership of that institution. It was to these states that the institution had to justify its policies and actions. In the contemporary world order, with growing public concern over the accountability gap and democratic deficit of many international institutions, accountability to a wider cast of actors beyond this core group has become crucial to legitimizing governance arrangements beyond the state.

If institutional accountability is about that institution acknowledging and assuming responsibility for its actions to *all* its key stakeholders, then there must be some mechanism that allows these stakeholders to be consulted. Representation can take two forms. One mode of representation involves the actual physical representation by CSOs of that institution's multiple stakeholders, namely those communities or groups affected by some activity of the institution in question. A second notion of representation is that of 'discursive representation' where civil society participants 'represent positions rather than populations, ideas rather than constituencies' (Keck, 2004: 45). Adopting the notion of discursive representation helps to address the oft-made criticism that CSOs are not truly representative of the constituencies they claim to represent; it should help us resist moves to exclude civil society from meaningful participation in governance institutions on these grounds. Transparency is another key component of accountability. If an institution's actions, agendas, deliberations and decisions are a closed box, it is impossible for that institution to assume responsibility for its activities to its stakeholders. Again, CSOs can play a role in this regard by acting not only as a conduit through which information from the institution is conveyed to key stakeholders, but also as a 'processing centre' that analyses, interprets and evaluates the information provided, challenges it if necessary, and through that helps create better outcomes for those affected by the activities of the institution. Both institutional effectiveness and accountability depend on the 'need for more outside checks on information' as well as 'more independent information' (Haggard, 2009: 5). CSOs are one category of international actor to which such responsibilities may be delegated in international institutions.[14] Complaints lodged by CSOs or by local communities affected by the projects and policies of an institution may be considered to be one more type of independent information that will aid the institution in question to better evaluate its own policies and programmes.

While such accountability practices involving non-elite CSOs are increasingly common in global institutions as well as institutions in the European Union or Latin America, their role in Asia is still limited. Although regional institutions accord a significant institutional role to elite CSOs such as the regional scholarly networks of academics and other researchers as well as business associations (see Section 4), many regional institutions have not tapped *non-elite* civil society's potential to enhance institutional effectiveness and accountability. The paper returns to this point in Section 4.

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[13] These are among the four measures of accountability used by One World Trust to compile its annual Global Accountability Report, the other two being transparency and stakeholder engagement. See One World Trust (2007 & 2008).
[14] On the delegation of various tasks in regional institutions, see Haggard (2009).

3. Civil Society in Asia: Negotiating the State

A number of studies have documented the existence of a vibrant civil society realm in Asia once we relax the strict definition of the term and allow for some conceptual broadening as discussed in the previous section. These studies have also documented an expansion in the numbers of CSOs operating across Asia, particularly since the 1980s (Yamamoto, 1995; Schak and Hudson, 2003; Alagappa, 2004e; Lee, 2004).[15] Alagappa's study of civil society is perhaps the most ambitious for its scope, covering 12 diverse countries across Asia, and for its theoretical coherence, thereby contributing to building theory on the nature and transformative role of civil society operating in a variety of political settings beyond the western, liberal-democratic state.

It is in those Asian states that witnessed political liberalization and democratization that we see the sharpest spike in CSO growth as governments became committed to creating and safeguarding a space for non-state groups. This was the experience in South Korea, Taiwan, Thailand, the Philippines and Indonesia following political liberalization and democratic transition, especially as CSOs previously operating underground formalized their operations in the new environment (Alagappa, 2004c: 462). However, even in these new Asian democracies, the legal framework guaranteeing civil society a space in which to operate unhindered continues to be limited by laws left over from their authoritarian past (Alagappa, 2004c: 470). It is not only in democracies that CSO activity has expanded although a wider spectrum of CSO activity is accommodated in these settings. Even in non-democracies like China and Burma, governments have chosen to deliberately encourage the growth of CSOs allied with the state, both to counter oppositional or independent CSOs and to work with the government on a variety of development projects (Alagappa, 2004: 461; Curley, 2007: 189).

CSOs have also sprung up 'from below' as a result of disaffection with national governments in many parts of Asia, including in democracies like India and the Philippines. Thus, CSOs have emerged to provide the goods and services that national and/or local governments seem unable to deliver to needy and vulnerable communities. These cases reveal that it is not only political regime type that matters, but the capacity of the state to undertake (or not) its key functions that also influences the growth of CSOs. In other instances, dissatisfaction with official government policies, particularly those relating to minorities, has sparked non-state oppositional and advocacy groups to organize. This has been the experience of Malaysia, Sri Lanka and the Philippines that are grappling with the issue of minority rights (Alagappa, 2004c: 460). Another key driver of CSOs in the region has been the consequence of rapid economic growth and industrialization (Polet, 2007). This has given rise to the emergence of new issues around which groups have coalesced, namely labour rights, environmental degradation, economic justice, corporate governance, crony capitalism and corruption (Alagappa, 2004c: 462). Labour advocacy has, in fact, grown in settings across the political spectrum as workers confront the social consequences of neoliberal policies that have undermined traditional employment and wage safeguards and increased the insecurities workers face in a highly competitive, globalizing world economy (Spooner, 2004).

In general, political regime type does matter in shaping the strategies employed by CSOs. Thus, in more open and democratic countries, and despite the less than satisfactory degree of

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[15] Welsh (2008) provides a useful review and critique of some of these studies.

legal safeguards in some Asian democracies, CSO activity spans the spectrum from advocacy to the production of critical/alternative knowledge and service delivery. Pluralism is the result. In these states, CSO activity also helps sustain the democratic order. However, in formally democratic countries such as Malaysia and Sri Lanka, while CSO activity has grown, many CSOs have organized along communal (ethnic or religious) lines, and in some instances, have contracted democratic space and limited moves towards genuine openness and pluralism as a result of their communalistic stance (Weiss, 2004: Devotta, 2004). In more authoritarian or repressive regimes, CSO activity has also grown, but in these, it is state-sponsored CSOs that dominate and mostly in activities such as service delivery or partnering the government in development and social projects. Advocacy activities tend to be suppressed. As already noted, the Singapore government prefers to cultivate 'civic-oriented', self-help types of CSOs that take on some of the government's welfare responsibilities. But, even in these illiberal political settings, CSOs have attempted to find ways to negotiate the state. In China for instance, state-controlled organizations have managed to slip out from under the state's control and have become agents for the 'expression of ideals, or mobilization and coordination against the party-state' (Ding, 1994: 32). A similar experience has been reported in the case of Vietnam where individuals and groups have managed to creatively adapt to their highly restrictive milieu, including using their connections with communist officialdom or their knowledge of the system in order to challenge it from within, in what Russell Heng (2004: 157) has termed 'system-subverting politics'.

The picture of CSO activity in Asia is thus, highly varied. While domestic regime type, state capacity and the nature of state-society relations have shaped the nature and form that civil society activity takes within national societies, developments at the international, structural level have also facilitated the growth of civil society in Asia. In particular, the end of communism and the triumph of liberal democracy and liberal capitalism led major powers like the United States and the European Union to champion liberal norms of human rights and democracy as universal norms. This necessarily entailed supporting the development of civil society, which translated into the availability of considerable material resources for Asian CSOs as well as a moral framework that legitimized their existence. Many illiberal governments chose to tolerate CSO activity, albeit in a highly controlled manner, because they not only recognized the value of these groups in alleviating the burdens of the state in addressing a range of social and developmental issues but because of concern that they would be pressured to adopt new international norms of human rights and democracy through external political pressure and other forms of conditionalities. At least, the presence of CSOs gives the impression that a more open political system is in place, even if the resultant civil society space is controlled and even manipulated by highly centralized governments for their own ends.[16] Yet, as the Asian experience shows, CSOs operating in such constrained environments have managed to work through the state in advancing their respective causes. Nevertheless, their success is limited by the kinds of issues that CSOs can advocate. Issues that directly pose a threat to ruling governments and prevailing political systems are usually out-of-bounds. While CSOs may be able to organize against issues that touch on politics or government performance such as corruption and governmental inefficiency, they can only do so to the extent that these advocacy activities do not challenge the authority and legitimacy of the ruling regime.

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[16] In Manor's typology, centralised governments tend to be suspicious of independent power centres, preferring top-down institutions that are controlled by the state. Manor, cited in Curley (2007: 187-89).

However, even in these settings, the advent of new information and communication technologies (ICT) has allowed CSOs to use cyberspace as a realm to 'escape' repression and silencing. This has not only happened in Burma and China but CSOs have also used cyberspace to articulate criticisms of the political system, the government and its policies and practices in Singapore and Malaysia (Alagappa, 2004c: 464). In fact, ICT has promoted networking of CSOs across borders and facilitated the emergence of a transnational, regional civil society space. Burmese groups operating in exile such as the Free Burma Coalition have established a network of human rights and student organizations in 28 Asian and European countries to press for political change in that country. This network has successfully persuaded some multinational corporations against doing business with the Burmese military government (Kyaw, 2004). The growing links between local CSOs in Asia with global CSOs, including through local chapters or regional offices of global NGOs like Amnesty International, Transparency International, OXFAM, Freshwater Action Network (FAN), and the Worldwide Fund for Nature (WWF), to name a few, has also empowered many local CSOs, especially through material, information and knowledge resources that the more established global partner makes available to the local CSO to aid the latter in its advocacy. Increasingly, the flow of ideas is not always from the global to the local; local CSOs have provided innovative approaches to local problems that international organizations then replicate or adapt. A case in point is the programme of non-formal education for working children initiated in the early 1980s by a local Bangladeshi NGO, the Bangladesh Rural Advancement Committee (BRAC) that formed the basis for a similar programme launched in the late 1980s by the United Nations Children's Fund (UNICEF) for the Bangladesh government (Yusuf, 2006: 33-36). In this case, BRAC recognized the reality of working children in Bangladesh, and consequently spearheaded a practical alternative that later informed the programmes of an international agency.

Nevertheless, global-local linkages can have their downside as well if local CSOs become dependent on, and are seen to be uncritically adopting the analyses and interpretation of local issues that may use culturally different lenses. In such instances, it becomes easier for governments to delegitimize local CSOs by accusing them of being western pawns. But, despite these caveats, CSOs that may be restricted within national space are able to enlarge their capacity to act by exploiting both cyberspace and the transnational space above the state – both global and regional. As the next section shows, CSOs in Asia have used the regional level in which to organize and press for change on a variety of issues through both networking among themselves as well as engaging with regional institutions.

4. Civil Society and Regional Institutions in East Asia

The regional institutional landscape in Asia is undoubtedly complex, shaped by a variety of institutional arrangements aimed at addressing a growing array of domestic, transnational and global issues and problems. These different arrangements may be categorized into at least five institutional types although some of these arrangements are difficult to slot into one or another of these categories. The most visible of these arrangements are the traditional state-centric, inter-governmental organizations (IGOs) with their broad agendas. Examples include the Association of Southeast Asian Nations (ASEAN), Asia-Pacific Economic Cooperation (APEC), ASEAN Plus Three (APT), the ASEAN Regional Forum (ARF), South Asian Association for Regional Cooperation (SAARC), the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), the Shanghai Cooperation Organization (SCO) and the South Pacific Forum (SPF). Asia is also host to functionally narrower arrangements that bring together specialized government

regulatory agencies networking with similar bodies in other states, and sometimes with international regulatory bodies in an effort to share information and to cooperate over very specific items that fall within the respective purview of these functional agencies. Examples of such trans-governmental networks[17] include the regional central bankers' network, EMEAP (Executives' Meeting of East Asian and Pacific Central Bankers) as well as the ASEANAPOL network of Chiefs of ASEAN police forces.[18] Even members of parliaments now network regularly across national borders such as through the ASEAN Inter-Parliamentary Assembly (AIPA) and the Association of SAARC Speakers and Parliamentarians in South Asia.

A third institutional category is the sub-regional arrangement aimed at enhancing cooperation amongst smaller sub-regions within nation-states, for instance, Greater Mekong Sub-regional Cooperation (GMS),[19] the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA) and Central Asian Regional Economic Cooperation (CAREC)[20]. In addition to these more formalized governance structures are those that are still state-centric but are looser arrangements that function more like dialogues – the Shangri-La Dialogue (more formally known as the Asia Security Summit) that brings together defence ministers, senior military figures and other non-military officials from within Asia and from outside the region,[21] the Six Party Talks between the United States, Japan, China, South Korea, North Korea and Russia aimed at addressing the North Korean nuclear issue, the East Asia Summit with its wide-ranging agenda and the inter-regional Asia-Europe Meeting (ASEM), also with a broad agenda.

Aside from these four types of state-centric arrangements, Asia is also home to an array of non-state regional governance arrangements comprising scholars from think tanks and universities as well as business persons from the private sector. Regional scholarly networks include ASEAN-ISIS, the Network of East Asian Think-Tanks (NEAT), CSCAP, PECC and the Consortium of Non-Traditional Security Studies in Asia (NTS-Asia) that includes members from South Asia, Southeast Asia, Northeast Asia and even Australia joined by a shared commitment to non-traditional approaches to security problems. Private sector networks, often closely linked to regional institutions, include the APEC Business Advisory Council, the ASEAN Business Forum, the SAARC Chambers of Commerce and Industry (SAARC-CCI), the GMS Business Forum and the CAREC Business Development Forum. The Roundtable on Sustainable Palm Oil (RSPO), a global private sector initiative that includes the participation of NGOs and aimed at ensuring that palm oil is produced in a sustainable manner, should also be considered a key component of the *regional* institutional architecture for governance. This is because of the central role of the RSPO in certifying the ethical and "green" credentials of the palm oil industry, a significant economic sector in Malaysia and Indonesia, and a growing industry elsewhere in Asia in which Malaysian palm oil

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[17] For a discussion on the worldwide growth of networks of regulators interacting across national borders, see Slaughter (2005).

[18] EMEAP sometimes works closely with the Bank of International Settlements (BIS) while ASEANAPOL cooperates regularly with INTERPOL.

[19] The GMS comprises the following six countries: Cambodia, China, Laos, Myanmar, Thailand and Vietnam.

[20] CAREC comprises the following eight countries in the Central Asian region: Afghanistan, Azerbaijan, China (specifically the Xinjiang Uygur Autonomous Region), Kazakhstan, Kyrgyz Republic, Mongolia, Tajikistan and Uzbekistan.

[21] The 27 delegations at the 2008 Shangri-La Dialogue were those from: Australia, Bangladesh, Brunei, Cambodia, Canada, China, France, Germany, India, Indonesia, Japan, Laos, Malaysia, Mongolia, Myanmar, New Zealand, Pakistan, Philippines, Russia, Singapore, South Korea, Sri Lanka, Thailand, Timor Leste, United Kingdom, United States and Vietnam.

companies, already accused of ecologically unsustainable and unethical practices, dominate. The RSPO is, therefore, a key framework for governing business and state practices in this industry.

Although the above is not an exhaustive list of regional institutional arrangements in Asia, this brief introduction serves to highlight a key feature of the Asian regional institutional architecture – that it is a complex structure of diverse, often over-lapping governance arrangements that operate at sub-national, national, sub-regional, regional and inter-regional levels, even involving non-state governance arrangements and addressing a wide array of problems and issues (Jayasuriya, 2009; Caballero-Anthony, 2009). Moreover, many of the regional institutional arrangements highlighted above often involve the participation of multilateral institutions like the World Bank, the International Monetary Fund, Bank of International Settlements (BIS), and the ADB either on a regular or ad hoc basis (Jayasuriya, 2008: 29). But, it is in East Asia that we see the region's reputed institutional diversity as multiple, often competing and overlapping institutional arrangements are formed to cater to the varying economic and political interests of a set of heterogeneous countries.[22] Often, these institutional arrangements are supplemented by a plethora of agreements, including free trade area and economic partnership agreements, codes of conduct (such as on the South China Sea), as well as a host of other specific initiatives and projects (such as the Chiang Mai Initiative and Asian Bond Market Initiative, both aimed at enhancing regional financial governance, as well as ASEAN's tripartite Community building project). These further contribute to the structures and processes of regional governance.

Paralleling the growth of regional institutions is a growing regional civil society space in Asia in which a variety of CSOs participate using different strategies to advance a wide range of causes. Although it is impossible to map the entire spectrum of causes advocated by CSOs, regional civil society activism tends to address issues within the following broad categories: (a) economic rights and exclusions, including those related to labour and land rights; (b) political change, democratization and human rights; (c) sustainable development and environmental causes; (d) gender issues; (e) poverty, development, trade and globalization; (f) regional liberalization and integration arrangements; and (g) peace and human security.

While regional networking amongst CSOs had been taking place in this region since at least the late 1970s, a spike in regional activism followed two prominent events: the end of the Cold War and the demonstration effects of civil society's role in democratic transformation in Eastern Europe, and much later, the 1997-98 Asian financial crisis. The financial crisis not only led to an increase in the number of advocacy groups lobbying against the IMF's crisis response programmes and more generally against the corporate-led, neoliberal model of economic globalization that many blamed for the crisis, CSOs also became active in delivering vital aid to, and working with, vulnerable groups suffering the economic and social dislocations of the financial crisis. Another stimulus to regional civil society activism came with the turn to economic integration by regional institutions such as ASEAN as well as the rise in the number of free trade agreements (FTAs) adopted by regional states either with other states in the region, with regional groupings like ASEAN, or with non-Asian states like the United States. In fact, the region's complex institutional architecture acts as a spur to regional civil society advocacy both when CSOs advocate against the activities of one or more of these regional institutions as well as when they use these regional institutions as a(nother) channel through which to be heard by policymakers.

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[22] On this point, see Haggard (2009) and Ravenhill (2009).

As the discussion to follow shows, regional CSO activity falls into the following broad categories: (a) regional civil society advocacy activities; (b) parallel summitry, both with and without official sanction; and (c) civil society as partners of states and regional institutions. It is important to keep in mind that these are not mutually exclusive activities, with CSOs engaging in more than one of these activity types. Moreover, some of these activities follow on from others; for instance, regional advocacy – persuading and challenging officials to change their position on some issue – could eventually lead to state-CSO partnerships in implementing the revised policy. While a regional civil society is clearly in place, whether this has been matched by a definite and sustained move towards institutional engagement with civil society actors in ways that enhance institutional effectiveness and accountability is a question that needs to be considered more carefully. The paper returns to this point in the concluding section.

4.1 Regional Civil Society Networks and Regional Advocacy

Regional networking among CSOs in Asia has had a fairly long history, even before the emergence of the dense regional institutional environment, as like-minded CSOs began working together to advance their respective causes. While an exhaustive survey is beyond the scope of this paper, it is possible to identify a few core strategies and approaches of regional CSO networking. Advocacy, including the mobilization of mass rallies and protests, is one such approach.

A significant mass protest campaign that did lead to positive change was that mobilized by CSOs against the ADB in May 2000. According to an ADB official, this protest rally had compelled the Bank to seriously consider the demands of ordinary people over two key ADB projects in Thailand, namely the privatization of social services such as schools and hospitals and the Samut Prakarn Wastewater Management Project that had been challenged by the Long Dan villagers in Samut Prakarn for being environmentally unsound and involving corruption (Tadem, 2007). Like many other regional advocacy activities and mass protests, this campaign linked regional CSOs with those from other parts of the world acting in solidarity with local Thai groups and communities in lobbying the ADB as well as other interested governments, especially those providing funds to these projects. The Bank's responsiveness to this particular advocacy campaign was likely to have been shaped also by the prevailing atmosphere of the 'post-Seattle' period when multilateral institutions like the IMF, World Bank and WTO came under considerable global pressure to demonstrate their accountability to local communities affected by their projects. In February 2001, the ADB established the NGO and Civil Society Centre to enhance cooperation with CSOs, including trade unions and people's groups, and to 'respond to their concerns'.[23]

Another strategy is to use information, including alternative forms of knowledge to provide fresh perspectives on existing or new problems, and through such knowledge and research-centred lobbying, attempt to drive change. The Coral Triangle Initiative (CTI) is a clear example of successful CSO advocacy that eventually led to close partnerships between national governments, regional institutions like the ADB, global agencies such as the Global Environment Facility, and global CSOs such as World Wide Fund for Nature (WWF), The Nature Conservancy and Conservation International and their local/regional chapters. Importantly, CSO advocacy also led to the establishment of a new regional multilateral arrangement to govern coral reefs and the marine eco-system in the Coral Triangle Area in the Indo-Pacific Ocean area – the Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security in 2007. Although there had been prior cooperation

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[23] See the site, NGO and Civil Society Center at www.adb.org/NGOs/ngocenter.asp (accessed 13 November 2009).

amongst various parties in this area, the formalization of these partnerships[24] and the endorsement of the CTI by three regional institutions -- APEC, BIMP-EAGA and ASEAN is notable for the commitment of regional governments to an initiative with multiple gains for this area's 150 million people – enhance food security, local livelihoods, and the tourism industry; ensure marine conservation including of coastal mangroves; and through that protect coastal communities from storms and tsunamis (CTI Secretariat, nd).[25] The use of information and knowledge on the role of coral reefs in supporting a range of economic activities and livelihoods allowed the CSOs to point to the clear material gains that would result from protecting coral reefs. By doing so, this issue has moved from the advocacy to the partnership stage where, again, the research and knowledge of conservation CSOs will play a significant role.

Other major Asian CSOs also focus a great deal of their work on research, and the articulation of alternate knowledge paradigms as a way to alter prevailing governance arrangements with their adverse consequences for many under-privileged communities. FOCUS on the Global South (FOCUS), for instance, engages in individual advocacy work, especially through its research and position papers on mostly economic matters, mobilizing against globalization more generally and on the WTO and other global institutions in particular. FOCUS has been especially critical of the neoliberal elements in global and increasingly regional governance, including ASEAN's competitiveness-centric approach to national and regional liberalization and economic integration. Its global focus allows the research work and findings of FOCUS to be used by other CSOs that focus on particular sub-regions. Other CSOs like the Asian Forum for Human Rights and Development (FORUM-ASIA) and Alternate ASEAN (ALT-ASEAN) focus their advocacy work on political issues, especially human rights abuses in Burma and other states as well as the anti-democratic practices of a number of governments in the region (Lizee, 2000; Acharya, 2003). Aside from individual advocacy, CSOs such as FORUM-ASIA and FOCUS also come together with other like-minded CSOs to form ad hoc or more permanent regional advocacy networks. Both these CSOs are members of the steering committee of a key regional advocacy network, the Solidarity for Asian People's Advocacy (SAPA), which focuses its advocacy work on three Asian sub-regions – South Asia, Southeast Asia and Northeast Asia.

Formed in 2006, SAPA has become a fairly representative regional advocacy network if we go by its broad-based agenda that addresses a range of concerns affecting communities in Asia and by its membership of about 100 national and regional CSOs. SAPA membership extends only to non-state organizations from Asia, including social movements, NGOs and trade unions that are involved in some form of lobbying or advocacy aimed at international organizations.[26] Its annual regional consultations have involved between 30 CSOs (at its inaugural consultation) to 55 in 2007, while key themes for its advocacy work include human rights and democracy; globalization, trade, finance and labour; sustainable development and environment; and peace and human security (SAPA, 2007). SAPA's main aim is to

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[24] CTI member states are Indonesia, Malaysia, Philippnes, Papua New Guinea, Solomon Islands and Timor Leste.
[25] See also the website of the CTI Secretariat www.cti-secretariat.net/about-cti/about-cti and the website of the International Union for Conservation of Nature (IUCN), www.iucn.org/?3194/Coral-triangle-initiative-celebrated (both accessed 13 November 2009).
[26] See the SAPA website at www.asiasapa.org/index.php?option=com_content&task=view&id=12&Itemid=64 (accessed 13 November 2009).

'enhance the effectiveness and impact of civil society advocacy by improving communication, cooperation and coordination among non-governmental organizations operating regionally in the face of rapidly increasing and multiplying inter-governmental processes and meetings in Asia'.[27]

Clearly, SAPA is aimed at advocacy and lobbying activities targeted at regional organizations. It also undertakes studies on the issues on which it advocates. SAPA has sub-regional Working Groups, on Southeast Asia and Northeast Asia respectively, that each year prioritize a set of work programmes that relate to the core agendas of the main regional organizations in each sub-region. Thus, the Working Group on Southeast Asia in 2007 identified, among other issues, work programmes on the ASEAN Charter, the mid-term review of the Vientiane Action Plan, the ASEAN Civil Society Conference, the ASEAN Human Rights Mechanism and the ASEAN People's Assembly, all of which were core items on the official ASEAN agenda during that period (SAPA, 2007: 8-9).[28] While there is no formal regional organization as yet in Northeast Asia, the Working Group focuses its attention on the ASEAN Plus Three Summit as well as on thematic priorities such as migration and on peace and security issues linked to militarization and the North Korean nuclear question (SAPA, 2007: 9). In South Asia, rather than setting up a new Working Group, SAPA chose to work with an existing regional CSO network – SANTI (South Asia Network Against Torture and Impunity) – that had been established in Bangladesh to lobby SAARC. SANTI will extend its sub-regional advocacy activity to fulfil its SAPA commitments, again principally by focusing on engaging SAARC on a range of issues. Aside from these sub-regional focal points, other thematic working groups in SAPA bring together civil society participants from all three sub-regions; these focus on migration and labour as well as human rights (SAPA, 2007). However, the degree to which SAPA-led advocacy has succeeded is open to question. The paper will return to this point in Section 4.2.

One regional advocacy network that has clearly not been successful is the regional labour network in Southeast Asia, which has focused its advocacy on altering regional (or national) approaches to labour. Part of the problem lies with the nature of trade unions in the region. Unions are usually the institutional form through which workers attempt to organize collectively to advance their position and interests. In Asia, these tend to be fragmented and beset by internal tensions, notwithstanding their rhetorical commitment to improving work conditions and employment practices within their firms or industry. Moreover, although these organizations subscribe to a social justice platform and call for a more humane form of globalization or a more socially just approach to global and regional economic governance, their ability to forge solidarity networks transnationally is undermined by the way different groups of workers, and by extension their unions, are differentially inserted into global and regional production processes (Cumbers et al, 2008: 373). Thus, labour organizations are likely in the first instance to engage nationally with their respective governments or with their employers in seeking to enhance the position and interests of particular groups of workers rather than aim for the more difficult task of building transnational labour networks to press for overarching abstract principles such as social justice. Yet, labour groups in Southeast Asia have come together in a transnational regional network to articulate a regional agenda for labour and to advocate for its inclusion as a dialogue partner in the region's integration framework.

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[27] Ibid.
[28] The latest available report is the 2007 Summary Report of the SAPA General Forum.

Working through the ASEAN Trade Union Council (ATUC), a number of labour groups from Southeast Asia have proposed the ASEAN Social Charter, which they see as the "social counterpart to ASEAN's economic, trade and investment architecture ...as a social pillar necessary to counteract the negative impacts of globalization on labour standards, distribution of income and social protection" (ATUC, nd: 1). The Social Charter was the outcome of five years of consultations and negotiations initially between national, regional (ATUC) and a global trade union, the International Confederation of Free Trade Unions-Asia Pacific Regional Office (ICFTU-APRO). These meetings had been spearheaded by the Singapore office of the German foundation, Friedrich Ebert Stiftung, which also organized a set of later consultations between labour unions, civil society groups, academics and government officials. Labour groups chose to work collectively in Southeast Asia because of their growing, shared concern at the lack of any social or labour standards in the ASEAN Free Trade Agreement (AFTA), in other bilateral trade arrangements involving Southeast Asian states, and in the ASEAN Economic Community project. In fact, the ASEAN Social Charter was initially conceived as the AFTA Social Charter, but was renamed the ASEAN Social Charter to demonstrate labour's support of the ASEAN regional process (Sperling and von Hoffman, 2003). Labour groups had initiated their Social Charter when ASEAN had failed to include organized labour as a dialogue partner in developing AFTA (Santiago, 2005). In drawing up the Social Charter, the regional labour network drew on a set of principles and standards promulgated by the International Labour Organization (ILO): among others, these include the right to freely organize.

As already noted, labour advocacy has not been too successful. ASEAN's adoption of the ASEAN Economic Community and the ASEAN Socio-cultural Community pillars in 2003 under its tripartite ASEAN Community project took place with little consultation with labour groups. Neither are workers' rights guaranteed or protected in these two programmes (Santiago, 2005). This is not surprising given the less than accommodating attitude of most governments in the region towards organized labour. Such an attitude undermined the labour network's plans to hold national consultations in all the ASEAN member states.[29] However, the fragmented nature of regional labour groups had also undermined the advocacy activities of the network, which had also failed to ally itself more closely with other CSOs in collective endeavour.[30] In fact, one labour representative from Malaysia pointed out at a network meeting in 2005 that labour groups were only then beginning to discuss labour issues with university economists, who, like national governments, had subscribed to a competitiveness paradigm that tended to marginalize workers rights and social justice issues.[31]

Although the regional labour network on the ASEAN Social Charter had provided extensive local data demonstrating secular declines in the real wages and earnings of workers over the past decade (see Santiago, 2005), the network could not make much headway in gaining recognition for its alternative Social Charter and indeed, its more socially-attuned views on economic governance due to the strong adherence by regional officials and key regional businesses as well as multinational corporations (MNCs) to a neoliberal, competitiveness intellectual paradigm that then informed economic policy and governing practices nationally and regionally. It is difficult for CSO advocacy to achieve concrete results if responsibility for the problem – workers rights and

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[29] Author's observations from attending the Workshop on the ASEAN Social Charter, organized by the Singapore regional office of the Friedrich Ebert Stiftung (FES), 11 May 2005 in Singapore.
[30] Ibid.
[31] Ibid.

worker earnings – is assigned to something abstract like the prevailing economic [neoliberal] paradigm that, despite criticisms against it, has also delivered material wealth to many other groups, especially the middle classes and elites. Although governments may be responsible for adopting policies that marginalize the rights of workers and that continue to emphasise a 'low labour cost' approach to competitiveness, the issue of workers' rights does not elicit as much sympathy amongst the region's publics as other cases where there is stark abuse, bodily harm is clearly involved and the causal chain of responsibility short and clear to establish, and thus, punish and correct.[32] How CSOs frame their issue area and the kinds of causal stories they tell from facts and data are important in CSO advocacy. In this regard, developing alternate causal stories based on alternate theoretical or knowledge paradigms is crucial if labour groups are to make a convincing *economic* case for some form of social market economy.[33]

This is why a significant element of regional CSO networking in Asia involves the production of critical knowledge that deconstructs prevailing concepts, policies and practices related especially to neoliberal economic globalization and offers alternative governance arrangements that emphasise social justice, ecological considerations and the economic rights of workers, local communities and marginalized groups. Transnational CSO networks such as ARENA (Asian Regional Exchange for New Alternatives), the Third World Network (TWN), the Asia-Pacific Research Network (APRN) and Focus on the Global South (FOCUS) have made critical knowledge production the central plank of their advocacy activities, recognizing that the provision of intellectually rigorous analysis can aid themselves and other advocacy groups by offering well-reasoned critiques of regional and global economic processes, as well as inform the agendas and work programmes of regional institutions like APEC, ASEM and ASEAN (Caouette, 2006). ARENA focuses primarily on knowledge production through developing a 'community of concerned Asian scholars' to produce theoretically and conceptually informed research work that advocacy groups could use. In contrast, TWN chooses to work with governments wherever possible to stand a better chance of influencing official policies whilst maintaining its independence and critical perspectives on the issues it researches and on which it advocates. TWN has undertaken a considerable amount of work on the WTO and IMF, particularly on how their policies and practices undermine many economic sectors in the developing world, including the rights of groups like farmers and other local communities. FOCUS also actively organizes CSO networks in the region, mostly but not exclusively, on a range of economic and economic-related matters such as trade liberalization, growing corporate power, and labour exploitation, using its internal research work to provide critical and alternative perspectives that challenge especially mainstream economic analysis on these issues. APRN's primary mission is to help the research capacity of regional CSOs (Acharya, 2003: 384; Caouette, 2006: 16-19). These regional CSO networks also extend beyond Southeast Asia, involving interactions with CSOs in the Middle East, South Asia, and Northeast Asia, with publications (print and online) and conferences the main means of disseminating research findings and information (Caouette, 2006).

In South Asia, the South Asia Watch on Trade, Economics, and Environment (SAWTEE) performs a similar function in this sub-region, its primary aim being to enhance the advocacy capacity of local communities and CSOs. Launched in December 1994, SAWTEE is a regional network of eleven South Asian NGOs from Bangladesh, India, Nepal, Pakistan and Sri Lanka, with

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[32] On the need for short and clear causal accounts of responsibility for some issue, see Keck and Sikkink (1998: 27-28).
[33] See the recent study by Novelli and Ferus-Comelo (2009).

a secretariat in Kathmandu. SAWTEE has links with the media, universities and research institutes such as the Centre for International Environmental Law in Geneva, International Centre for Trade and Sustainable Development also in Geneva, and the Institute of Policy Studies, Colombo, among others, as well as global CSOs including Action Aid and OXFAM.[34] Through these links, SAWTEE conducts policy research on economics-related issues such as WTO rules, intellectual property rights, competition policy as well as the environment and development aspects of trade liberalization, and it then disseminates these findings widely amongst NGOs, trade negotiators, regional and global organizations as well as donor communities. SAWTEE, thus, emphasises knowledge production, training activities for local communities and local NGOs as well as engagement with officials and the media.

These forms of CSO activity aimed at developing alternate knowledge paradigms are clearly in the neo-Gramscian mould, with the critical perspectives and alternative knowledge they generate supporting a counter-hegemonic challenge to the prevailing hegemonic framework of neoliberal ideas and practices of national, regional and global institutions. However, advocacy type CSOs, including those engaged in the production of critical knowledge and mass protests, are only likely to be accommodated in more open and democratic settings. But, because the regional level offers a wider range of accommodative sites in which CSOs may operate from, CSOs may escape the reach of governments that seek to control or even suppress them by locating in a more accommodating setting. In East Asia for instance, where CSOs face substantial constraints, 'nodes of transnational activism' are located in Bangkok, Jakarta and Manila, capitals that provide regional CSOs with an accommodating political climate and the necessary 'practical infrastructure' to facilitate regional CSO activities (Piper and Uhlin, 2004: 14). ARENA, for instance, was located in the more liberal environment of 1980s Hong Kong when it first began operations despite the network's Southeast Asian research focus. FOCUS has been located in Bangkok while APRN is located in Manila. However, with an increasing number of CSOs now undertaking their own research, knowledge-producing regional CSO networks like ARENA and APRN are now themselves engaging in direct advocacy activities, including participating in parallel civil society summits that track official summits of regional institutions.

4.2 Regional Civil Society and Parallel Summitry

A number of regional institutions in Asia allow CSOs to be formally affiliated with them, notably ASEAN and SAARC, which allow CSOs to be registered as NGO affiliates. Sub-regional institutional arrangements like the GMS and CAREC involve civil society consultations on a variety of sub-regional projects on a regular basis, due primarily to the key role played in these projects by the ADB, which is now committed to organizing broader consultations with communities affected by these projects or their representatives. Other institutions like ASEM also involve consultations with CSOs on a number of institutional agenda items although no formal mechanism for such interactions has been established. APEC is far less responsive to CSO engagement, reflected in its low score of 46% in the 2008 Global Accountability Report for external stakeholder engagement (One World Trust, 2008). While APEC does allow for CSO participation in its activities, this is limited, on invitation by APEC and at APEC's discretion.

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[34] For a full list of SAWTEE's partners, see www.sawtee.org (accessed 10 October 2009). An alternate website on SAWTEE is www.facebook.com/pages/South-Asia-Watch-on-Trade-Economics-and-Environment-SAWTEE/317451665536?v=info (accessed 13 November 2009).

Nevertheless, Asian regional institutions provide a focal point for civil society activity, with regional CSOs often grouping in parallel forums to present their views and critiques of institutional agendas and work programmes in the hope that some shift will take place, either in institutional discourses, agendas, policies and/or processes (Curley, 2007: 191). The best developed parallel summit of CSOs is the Asia-Europe People's Forum (AEPF) formed in 1996 when the first formal ASEM meeting was held in Bangkok. Despite AEPF's growing visibility over the years, its regular presence through its summits that parallel official ASEM Summits, and the pronounced desire of ASEM to engage with the non-official world, only the Asia-Europe Foundation has been formally created as a component of ASEM while the Asia-Europe Business Forum (AEBF), although functioning as a parallel forum of business persons, nevertheless has become more closely integrated within ASEM's institutional structures and processes since 2005 (Gilson, 2007: 3). The Chair of the 10th AEBF participated in the tenth Senior Officials Meeting on Trade and Investment in China and in the tenth Economic Ministers' Meeting in Rotterdam, both in 2005 (AEBF, 2006). Similarly, while APEC has formal interactions with the business sector, APEC does not formally interact with CSOs on any regular basis. CSOs, nevertheless, track official APEC Summits on occasions with parallel CSO summits. As already noted, APEC is not rated highly on its degree of engagement with stakeholders.

Although the inhospitable attitudes of a number of Asian governments towards CSOs explain the absence of institutional links with regional civil society, the seeming reluctance of member states to consider alternative frameworks of economic governance beyond the 'neoliberalistic' or competitiveness-focused agendas' of regional institutions may account for institutional ambivalence towards greater engagement with CSOs while maintaining formal links with business groups. Despite their diversity, the kinds of CSOs that participate in these parallel summits share a consistent commitment to an 'anti-globalization' agenda that goes against the preferred liberalization and corporate-centred agendas of these regional institutions and their constituent member governments (Gilson, 2007: 15). Whether a more accommodating response to CSOs is forthcoming depends on which member government is hosting that year's annual summit.

For instance, the 2006 Sixth ASEM Summit in Helsinki emphasized labour rights and the environment, issues that CSOs and trade unions had lobbied for since ASEM's founding. Ten years later, these issues finally found a receptive hearing by the Finnish government with an official acknowledgement from leaders that ASEM should develop a social pillar based on the ILO's Decent Work Agenda as well as a set of human and social rights (Gilson, 2007: 15-16). In this way, ASEM may have taken its first step towards formalizing its engagement with regional civil society by incorporating civil society concerns within the ASEM agenda. The Seventh ASEM Summit in Beijing in 2008 repeated the Helsinki experience by first, accommodating in a major way the AEPF parallel summit in Beijing, and second, by reiterating in the official leaders' Declaration, the importance of a 'fair distribution of income', enhancing social protection, and upholding the labour standards and labour rights set out under the 1998 ILO Declaration on the Fundamental Principles and Rights at Work and the 2008 ILO Declaration on Social Justice for a Fair Globalization (ASEM, 2008). Although Declarations may be dismissed as mere rhetoric, these nevertheless establish a set of commitments by ASEM leaders to which they can be held accountable by their stakeholders. China's accommodating attitude to the AEPF where a range of critical issues on human rights, democratization and economic/social justice were discussed was moreover lauded by the AEPF. The Forum was the second largest NGO forum held in Beijing since the 1995 NGO Women's Conference. Interestingly, about 200 of the 500-odd participants at the Forum came from CSOs

that were part of the China NGO Network for International Exchanges (CNIE). Among the core items on which the APEF will develop advocacy strategies before the next ASEM Summit are migrant workers, urban poverty, water justice, and the EU-ASEAN FTA, which the business network (AEBF) is endorsing.[35] Thus, parallel CSOs summits are slowly becoming more closely linked to official institutional processes, indicating that official views towards CSOs are becoming more accommodating as an increasing number of issues seem to require information, perspectives and solutions from CSOs, at the very least, as inputs for deliberation.

In Southeast Asia, the ASEAN People's Assembly (APA) is the parallel civil society summit that tracks official ASEAN Summits. It was first organized in 2000 by the regional Track II think tank network, ASEAN-ISIS, which is regarded by many observers to be 'close' to, some would say co-opted by, regional officials and national governments. Although APA was endorsed in principle by ASEAN officials, APA is better regarded as a parallel summit or a regional social forum rather than a formally integrated institutional component of ASEAN. Despite the role played by ASEAN-ISIS in initiating this non-elite CSO network and regional forum, the more authoritarian governments in ASEAN refused to provide funding support for APA, forcing ASEAN-ISIS to turn to external donors, notably the Canadian International Development Agency (CIDA), the Asia Foundation, the Soros Foundation and the Japanese government (Caballero-Anthony, 2005: 242-44).

APA brings together a wide cast of regional CSOs advocating on a range of issues and problems such as globalization and its consequences for the region's people, poverty and development, environmental damage and management, human rights and democratisation, the plight of indigenous and marginalized communities, and gender and the empowerment of women (Caballero-Anthony, 2005: 243). The annual APA forums are platforms for deliberation, or regional public spheres, for CSOs, local community groups, individuals and academics, as well as corporate figures who often have different views from those articulated by CSOs, especially on the economy, labour rights and social justice issues. More specific APA Working Groups have also been set up to focus on specific tasks to enhance the quality of governance in the region. Two of these tasks are to develop an ASEAN Human Rights Scorecard and to monitor the progress of democratization in member states by establishing democracy-promoting or democracy-inhibiting indicators, among other tasks (Caballero-Anthony, 2005: 246). Similar working groups have also been established to operationalise the human security concept in Southeast Asia and to link it with human development.

APA may have enhanced the 'participatory' governance credentials of ASEAN by providing a space for the voices of ASEAN's ordinary people and marginalized communities to be heard by ASEAN decision-makers. However, despite APA's close to eight years of existence, there is as yet no formal, institutionalized interface mechanism between APA and official ASEAN (Morada, 2008: 5). With the exception of the Secretary General, ASEAN officials who do attend the annual APA meetings do so in their private capacity, ostensibly to allow for a free and frank exchange of views between civil society and public officials. A free exchange of views has not always materialized, however, because many officials have not managed to step out of their official roles. Moreover, this approach accords these forums with lesser status than forums in which ASEAN officials

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[35] See the AEPF website at http://ipdprojects.org/aepf/index.php?option=com_content&view=article&id=65:highlights-of-the-seventh-asia-europe-peoples-forum-aepf-7 (accessed 15 November 2009).

participate in their official capacity. ASEAN's engagement with business groups has, in contrast, been institutionalized through the ASEAN Business Advisory Council, which is often consulted on matters pertaining to economic issues, including ASEAN's agenda of regional economic integration.

One problem with a regional advocacy platform like APA is the diversity of voices, positions and perspectives within this realm. The problem is less about the diversity of issues requiring attention on which civil society groups speak – environment, migration, human trafficking, women and children, youth, indigenous communities, poverty, and so on. The problem arises when multiple and contending voices are speaking on the same issue, and this has been particularly the case where economic governance matters are concerned (Nesadurai, 2009). This often makes it difficult for regional policymakers to adjudicate between contending claims and even for regional CSOs to develop common positions for influencing official policy. The growing dissatisfaction of CSOs with APA came to the fore when the Solidarity for Asian People's Advocacies (SAPA), which has an active Working Group on ASEAN, began organizing annual ASEAN Civil Society Conferences (ACSC) since 2005 that compete with the annual APA forums (Chandra, 2008). Aside from CSO dissatisfaction with the lack of progress made in APA to effect change in ASEAN, the APA-SAPA divide also reflects a central fault-line in ASEAN between advocates of regional liberalization agendas such as the conveners of APA (the regional scholars' network, ASEAN-ISIS) and regional business groups on the one hand, and those such as the SAPA-aligned civil society and labour groups on the other hand that are more suspicious of the region's economic integration agenda as well as the region's penchant for bilateral free trade and economic partnership arrangements (Chandra, 2007: 10).

However, despite official recognition that ASEAN needs to engage with civil society to make the regional institution more "people-centred", officials and business leaders are reluctant to do so, especially in the area of regional economic governance (Morada, 2008: 5). One reason for this is the assumption by leaders and business elites that CSOs are not sufficiently qualified to speak on matters of the economy – unlike business groups and consultants, civil society groups are not regarded as "experts" on the economy (Nesadurai, 2004). A similar phenomenon has been seen in APEC and ASEM and is also argued to plague CAREC and GMS although CSOs are consulted extensively on the many projects undertaken in CAREC and GMS. Yet, business forums have reportedly been accorded privileged status in these sub-regional institutional arrangements where their views and inputs are given a close hearing by high-level officials (del Rosario, 2008: 13). Unlike the case of human rights, an agenda that has advanced quite considerably even if slowly in Southeast Asia with the recent establishment of the ASEAN Inter-governmental Commission on Human Rights (AIGCHR), there is no powerful global norm favouring a social market economy, which is the aim of a good many regional CSOs where economic governance is concerned. Without this external normative framework legitimizing the position and views on economic governance held by regional CSOs, national governments and regional institutions are not expected to reorient their economic governance arrangements in this direction.

In South Asia, the closed and elitist nature of SAARC prompted CSOs to organize the SAARC Peoples' Forum that tracks official SAARC Summits with the aim of drawing official attention to issues close to the livelihoods of South Asia's over one billion population. Like the other parallel forums discussed above, the SAARC Peoples' Forum also contests the prevailing [neoliberal] economic and MNC-dominated paradigm of liberalization. A key issue area for its advocacy work is to demand an end to advanced country agricultural subsidies and the

monopolistic control of agricultural commodities by a few MNCs, which distorts agricultural markets and undermines local agricultural activities and farmers' livelihoods, a predominant economic activity in South Asia. In addition, the Forum also advocates against unsustainable development, including inadequate river management; the patenting of life forms by MNCs; exploitative local land tenure systems; human trafficking, as well as biotechnological modification of food (Ridoypur Declaration, 2005). Among others, the 2005 Forum saw the participation of SANTI, Resistance Network, Genetic Resources Action International (GRAIN), and South Asia Network on Food, Ecology and Culture (SANFEC).

As with the other regional institutions discussed in this section, SAARC in 1992 granted formal 'apex body' status to a South Asian business network, the SAARC Chambers of Commerce and Industry (SAARC-CCI), and in 2000, chose to extend that status for a further 15 years without the need for a biennial review as initially planned. Moreover, the president of the SAARC-CCI is a permanent invitee to the SAARC Committee on Economic Cooperation (CEC) where he/she provides private sector views to the Commerce Ministers of the seven SAARC member countries.[36] Civil society participation in SAARC is possible through what SAARC terms 'recognised bodies' but this category currently includes professional associations such as in medicine, radiology, architects, town planners, teachers and media practitioners.[37] CSO involvement in SAARC, thus, remains ad hoc and a parallel phenomenon through the Peoples' Forum as is the case with the other regional institutions discussed.

4.3 Regional Civil Society as Partners of Regional Institutions

As with the experience of CSOs within states, civil society activities that undermine, or that pose a threat to, prevailing governing arrangements and groups whose interests are served by these arrangements, are not likely to find a welcome response from national governments and their regional institutional agents. In contrast, CSOs partnering governments in community development projects and other forms of service delivery, such as those CSOs engaged in peace-building, disaster relief, and working with HIV/AIDS sufferers, find a far more hospitable environment in which to conduct their work. In fact, regional institutions like ASEAN have often consulted with regional CSOs on seemingly apolitical issues on which CSOs have better local knowledge than officials – HIV/AIDS being the most significant but extending also to matters relating to youth and women (Nesadurai, 2009: 110).

Nevertheless, there does appear to be a growing trend even for the more critical CSOs to be allowed a hearing by officials as the preceding discussion revealed. Whether these voices become translated into concrete change is difficult to generalize as outcomes would depend on a range of factors, including the nature and influence of the CSO or the advocacy network, the prevailing incentive structure (material and reputational) facing officials and institutions that are the target of CSO advocacy, as well as broader environmental factors such as the nature of the issue area in question and the availability of political opportunity openings. It is, however, safe to suggest that when CSOs help governments discharge their responsibilities, when the new agenda advocated offers a clear picture of the gains that will accrue, both material or reputational or both, and when the issue area in question does not undermine the core material interests of political elites, then genuine partnership of CSOs with states and regional institutions is likely to develop.

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[36] See the official SAARC website at www.saarcsec.org accessed 10 November 2009.
[37] Ibid.

The extent to which CSOs are able to influence regional institutions will also depend on whether these institutions are designed in ways to accommodate CSOs within their institutional processes. Some of the preceding discussion has already highlighted the way in which key regional institutions such as ASEAN, APEC, ASEM, SAARC, GMS and CAREC engage (or do not) with CSOs. The general picture seems to be of growing tolerance for CSO (and labour) participation in these institutions. Yet, the contrast with the privileged status according to business groups is stark. Even the ADB, which has perhaps the most advanced institutional engagement with CSOs, has not been spared criticism. In 2007, the NGO Forum on ADB, a network of local, national and global CSOs that monitor and advocate against harmful projects initiated by the ADB, criticized the consultative process between ADB and CSOs on a clean energy project under CAREC for its lack of transparency, for not adhering to the minimum period between release of documents and the first consultation, and the ambiguous criteria by which CSOs are selected by the ADB for sub-regional consultations. These, according to the letter from the NGO Forum on ADB, result in a flawed consultative process as far as that particular project was concerned – the ADB's Energy Strategy Consultation Paper – despite the ADB's stated commitment to consult with CSOs and local communities.[38] Yet, the posting of the critical letter on the ADB website suggests the presence of spaces within the ADB where non-elite voices and those of affected communities may be articulated, even if not always perfectly.

In fact, the ADB's Accountability Mechanism adopted in 2003 to replace a previous inspection panel provides communities adversely affected by ADB projects with two means for redress: a consultation process in which an ADB Special Projects Facilitator who reports directly to the ADB President offers an extra channel to solve the problem between the complainants and the parties complained against; and a compliance review process where an Independent Compliance Review Panel considers whether an ADB project that caused material harm to a community was the result of violations with ADB's operational policies and procedures. Any group of at least two persons in the country where the ADB-assisted project is located may file a complaint, as can a local representative appointed by the affected community.[39] The presence of this mechanism allows the ADB to exercise a high degree of accountability to its stakeholders, seen in the ADB scoring 81% in terms of its overall accountability capabilities as reported by One World Trust's 2007 Global Accountability Report, placing the Bank among the top three organizations in the year reviewed (One World Trust, 2007). In fact, engagement is a two-way process: the constant monitoring by regional civil society of ADB projects and the presence of CSOs at ADB annual meetings maintains pressure on the ADB to remain accountable to its stakeholders. These have led the ADB to change some of its policies and to develop redress measures following CSO opposition to a number of Bank projects, even though a number of these – like the resettlement programme for villagers dislocated by the Nam Theun 2 hydroelectric project in Laos funded by the ADB and the World Bank – followed long periods of consultation (del Rosario, 2008: 15).[40]

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[38] The letter is available on the ADB website http://www.adb.org/Documents/Clean-Energy/Forum-Network.pdf (accessed 15 November 2009).

[39] See www.adb.org/Accountability-Mechanism/default.asp (accessed 10 November 2009).

[40] Another similar example is the World Bank's Inspection panel created in 1993 to enhance the accountability of the Bank in its lending role. The Panel hears claims brought against Bank policies, its loans and loan conditionalities by individuals and CSOs charged by affected communities to represent them (Economic Justice News Online, 1999). Unfortunately, the Panel has, in the past, been criticized for being under the control of the Bank's powerful Board that is willing to interfere with the work of the Panel to appease borrowing governments. In fact, panel investigations have found the Bank complicit in violating internal rules on a forest management project in Cambodia (Global Witness, 2006).

5. Conclusion: Regional Institutional Design for Enhancing the Quality of Governance

This paper has provided a fairly comprehensive, through not exhaustive, discussion on civil society activity in the region, particularly that of transnational civil society and its relationship to regional institutions. A good part of the paper focused on labour and grassroots civic groups operating at the Southeast Asian, South Asian and broader East Asian or Asia-Pacific levels, while some reference was made to the situation in Central Asia. The aim of this broad-based survey was to draw out key trends, broad commonalities as well as differences within Asia on the role and modes of engagement between regional institutions and labour and civic groups. Although this concluding section will not attempt to summarize the study, the following key observations should be noted.

First, there is a growing and vibrant regional civil society space in Asia in which a variety of CSOs participate using different strategies to advance a wide range of causes. Regional civil society activism tends to address issues within the following broad categories: (a) economic rights and exclusions, including those related to labour and land rights; (b) political change, democratization and human rights; (c) sustainable development and environmental causes; (d) gender issues; (e) poverty, development, trade and globalization; (f) regional economic liberalization and economic integration arrangements; and (g) peace and human security. Although regional CSO activity covers a spectrum of strategies, these may be categorized into the following three: (a) advocacy activities through regional networking amongst CSOs; (b) civil society parallel summits that track summits of official regional institutions; and (c) civil society functioning as partners of states and regional institutions. These are not mutually exclusive activities, with CSOs often engaging in more than one of these activity types. Moreover, some of these activities follow on from others; for instance, regional advocacy – persuading and challenging officials to change their position on some issue – could eventually lead to CSO partnerships with governments in implementing the revised policy.

A second observation is the crucial role played by information, ideas and knowledge in the various approaches adopted by regional CSOs to advance their respective causes. In fact, the use of information, ideas and knowledge, including alternative forms of knowledge, has been central to civil society advocacy. Many environmental CSOs have become influential and have succeeded in achieving their advocacy goals because of the information and knowledge resources they possess. Part of the reason for the relative lack of success of regional labour advocacy is this network's limited use of alternative theoretical or knowledge paradigms that help make a rigorously argued link between economic competitiveness and labour rights as well as social justice. Although successful advocacy goes beyond having the right form of information and knowledge, it remains the case that labour groups probably did not make a sufficiently convincing *economic* case to aid their cause for labour justice as advocated by labour's ASEAN Social Charter. In fact, this is why many regional CSOs have adopted a twin strategy: advocacy must be supported by the development and articulation of alternate knowledge paradigms that permit a broader understanding of economic growth and development that goes beyond the neoliberal knowledge that seems to drive much of the global and regional economic governance agenda, a central focus for much civil society advocacy. Such a pool of 'common knowledge' may offer sufficient material incentives to [re]design regional economic governance programmes in ways that pay more attention to social justice issues because of new understandings amongst stakeholders that such

an approach addresses the material *interests* of all key stakeholders.[41] Alternatively, the development of new paradigms of governing based on theoretically sound and rigorous research may also be valuable in *socializing* regional states, other CSOs and regional institutions towards new agendas and approaches to regional and national governance along the lines suggested by Amitav Acharya in his report for the ADB.

A third observation from this study is the common practice amongst regional governments to accord privileged status to business networks in relation to regional institutions rather than civil society networks. This has been common in ASEAN, APEC, ASEM, and SAARC, and to a lesser extent, in GMS and CAREC. One reason for this is the assumption by leaders and officials that CSOs are not sufficiently qualified to speak on economic governance issues unlike business groups and consultants who are regarded as "experts" on the economy. Although there appears to be a growing tolerance for CSO participation in regional institutions, even to the extent of allowing the more critical CSOs to be heard by officials, there remains a stark contrast with the privileged status accorded to business groups.

A fourth observation emphasizes how information and knowledge creation and dissemination by CSOs can help them to play a key role in enhancing the *quality* of regional institutional governance, defined as the *effectiveness* of governance institutions as well as the *accountability* of these institutions to their stakeholders. If institutional effectiveness and accountability depend on the 'need for more outside checks on information' as well as 'more independent information', as Stephan Haggard has argued, then CSOs are one category of international actor to which such responsibilities may be delegated in international institutions. While such accountability practices involving non-elite CSOs are increasingly common in global institutions as well as institutions in the European Union or Latin America, their role in Asian regional institutions remains limited, with the exception of the ADB. Although regional institutions accord a significant institutional role to elite CSOs such as the regional scholarly networks of academics and other researchers as well as business networks, many regional institutions have not tapped *non-elite* civil society's potential to enhance institutional effectiveness and accountability.

Given the potential of CSOs in Asia to enhance the quality of regional institutions in the ways suggested, this study's primary recommendation is for regional institutions to be restructured to accommodate the inputs of CSOs and indeed, to foster the development of local CSOs in Asia. Because of the value of alternate knowledge and perspectives in enhancing the chances of finding an effective and equitable solution to some problem, it is not sufficient for regional institutions to only engage with like-minded CSOs and their networks. While some quarters might suggest that institutional efficiency will be reduced by a cacophony of voices articulating on any issue, it is likely that better solutions may be found precisely because of the plurality of information and perspectives on the issue even if it takes longer to reach an informed decision. Thus, regional institutions should be prepared to provide a regional 'public sphere' in which a variety of civil society voices are heard by institutional elites. While this does not always guarantee that officials will adopt CSO perspectives and solutions, at the very least, the discursive space may be widened, which as the model of regional advocacy networks suggests, could over time lead to further substantive change.

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[41] On the role of common knowledge, see Culpepper (2008).

A second key recommendation is for regional institutions to put in place institutional accountability mechanisms following the criteria developed by One World Trust for its Global Accountability Reports. As already discussed above, institutional engagement with stakeholders (including civil society groups) is one of four measures of accountability, the others being transparency, evaluations, and procedures for complaints and responses. The ADB's Accountability Mechanism is one example that could provide a template for regional institutional design, while the World Bank's Inspection Panel is another possible model. Both these are 'bottom-up' accountability mechanisms in which stakeholders and their CSO representatives can bring claims against these institutions (internal evaluation processes tend to be top-down mechanisms). Although the presence of such bottom-up panels does not mean than institutional accountability will always be enhanced, as the criticisms against the World Bank's Inspection Panel have highlighted (see footnote 40 in this paper), the very presence of such mechanisms could catalyse more responsive behaviour on the part of institutional elites, particularly if CSOs avail themselves of the opportunity afforded by such mechanisms to now hold policymakers to account.

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