The Role of Ordering Principles in Creating a Just Society: ASEAN

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Abstract

Is the important variable for creating peace the type of principles a society is based on or the mere adherence to principles whether they be liberal or not? This paper will address this question in the following ways. First, an examination of the theoretical framework commonly used to examine regionalism and co-operation in East Asia. Second, an examination of the principles for co-operation found within John Rawls’ Law of the Peoples and the Principles upon which ASEAN was founded, taking into consideration the manner in which these principles where arrived upon. Third, a comparative analysis regarding common points of ASEAN principles and Rawls’ theory will be discussed in order to show the common result of the different means and motivations of deriving such principles. Finally, a discussion of sovereignty in its various forms will be undertaken to explain how ASEAN, using an order based upon Westphalian sovereignty principles, is be able to achieve Rawls’ goals when Rawls’ vision was an attempt to overcome the shortcomings of Westphalian sovereignty.

KeyWords: sovereignty, Southeast Asia, ASEAN, John Rawls, co-operation, regionalism

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I. Introduction

Theorists such as John Rawls laid out a clear structure for creating an international society based on his Law of the Peoples. By adhering to this framework he states that liberal and decent peoples can create a society of peoples and achieve what Kant would have termed a "Perpetual Peace". However Rawls tries to walk the middle ground between Kant and realism by making allowances for decent peoples to be part of the society, and calls his conception a realistic utopia. Critics of Rawls argue that he does not aim high enough with his ordering principles and is overly inclusive of membership to his society. Beyond the realm of theory we can see regional groupings that may be compared to Rawls' vision and seem to prove its possibility. The EU would seem to be the most obvious case as it fits nearly all the principles Rawls has laid out in his Law of the Peoples. However, this does not provide a falsifiable test of his theory since the results may bear out his assumptions but they do nothing to prove that the principles he has laid out are the cause of that peace. Indeed, comparing Rawls assumptions about peace in a Society of Peoples needs to be tested in an arena where it does not seem to fit so comfortably.

While ASEAN was created in 1967 and was based on a set of principles much different from Rawls, it has shown a remarkable record in terms of peace. The founding principles determine how the interactions between the member states are to be conducted but are not based on liberal thought but instead, a reaffirmation of Westphalian sovereignty. Members are equal, sovereign, and free to conduct their internal affairs without interference from each other. This conception of co-operation and regionalism is at odds with Rawls' conception of a society based on mutual democratic leanings and respect for human rights. Some of the worst atrocities were carried out by the Khmer Rouge regime of Pol Pot without real resistance from ASEAN. However, as a forum for encouraging economic interdependence, consensus building, and creation of a common identity ASEAN has shown to be effective if modest.

Therefore it begs the question: Is the important variable for creating peace the type of principles a society is based on or the mere adherence to principles whether they be liberal or not? This paper will address this question in the following ways. First, an examination of the theoretical framework commonly used to examine regionalism and co-operation in East Asia. Second, an examination of the principles