

**Regional Institutions and Contested Norm Diffusion in Southeast Asia:  
The Case of Small Arms and Light Weapons**

Paper presented to the Annual Conference of the  
Standing Group on International Relations  
European Consortium on Political Research  
Turin, Italy.

12-14 September 2007

David Capie  
Department of Political Science and International Relations  
Victoria University of Wellington,  
Wellington, New Zealand  
[david.capie@vuw.ac.nz](mailto:david.capie@vuw.ac.nz)

Draft. Not for circulation without the author's permission. Comments welcome.

## **Regional Institutions and Contested Norm Diffusion in Southeast Asia: The Case of Small Arms and Light Weapons**

David Capie  
Victoria University of Wellington, New Zealand

A key part of the constructivist research agenda over the last decade has been scholarship on norms. In the sub-discipline of security studies, norms scholarship has had a significant impact, with a vast and still growing literature on, *inter alia*, the emergence of the international campaign to ban landmines, efforts to control cluster munitions, explanations of the non-use of nuclear weapons, the development of a taboo surrounding chemical and biological weapons and norms against the use of child soldiers.<sup>1</sup> There is persuasive evidence that norms can have, and in some cases have had, a powerful influence on the behaviour of states, even in areas such as national security that realists consider to be dominated by narrow calculations of self-interest.

But while the norms literature has been influential, it has also faced a number of persistent criticisms. Constructivists have been accused of not adequately explaining the micro-processes through which norm transmission occurs.<sup>2</sup> Second, they are accused of spending too much time examining ‘good’ norms, failing to show how some unpleasant but important ideational aspects of international life, such as *realpolitik*, are created. Finally, norm theorists have been criticized for focusing on cases where norm diffusion has worked.<sup>3</sup> In Checkel’s words, “in terms of research design, there is often a failure to consider the ‘dog who didn’t bark.’”<sup>4</sup> What about the norms that fall by the wayside?

---

<sup>1</sup> See for examples, Richard Price, “Reversing the Gunsights: Transnational Civil Society Targets Landmines,” *International Organization*, 52 (3): 613-44; Richard Price, *The Chemical Weapons Taboo* (Cornell University Press, Ithaca, 1997)

<sup>2</sup> See the chapter by Jeffrey Legro in Peter Katzenstein, *The Culture of National Security* (Columbia University Press, New York, 1996)

<sup>3</sup> Jeffrey Legro, “Which Norms Matter? Revisiting the ‘Failure’ of Internationalism,” *International Organization*, 51 (1), 31-63, 34

<sup>4</sup> Jeffrey Checkel, “The Constructivist Turn in International Relations Theory: A Review Essay,” *World Politics*, 50(2): 4

How do we explain norms that progress through the life cycle but for some reason do not become accepted and internalized?

This paper engages some of these criticisms by examining the diffusion of one nascent security norm in the context of Southeast Asia. Since the late-1990s, a global coalition of states and non-governmental organizations has worked to promote controls over the use, possession and transfer of small arms and light weapons. Internationally, much of this action has taken place within the United Nations, but there has also been a significant effort to encourage regional organizations to take up small arms as a matter of importance. In Southeast Asia, the focus of these efforts has been the Association of Southeast Asian Nations (ASEAN). In this paper I seek to explain if, how and why ASEAN has been influenced by transnational small arms norms.

The issue is important for three reasons. First, norm theorists have not paid much attention to regional organizations as recipients or mediators of transnational norms. While constructivists often talk of ‘groups’ as norm takers, their focus has usually been on the role of states and domestic political institutions as ‘targets’ and on non-governmental actors as norm entrepreneurs and advocates. The literature on socialization also emphasizes regional organizations as norm teachers rather than recipients.<sup>5</sup> While some writers have offered explanations for local resistance to transnational norms, they have focused on domestic interests and national institutions, not regional organizations such as ASEAN.<sup>6</sup> The focus here on the regional level reception of norms is particularly unusual, because the regional grouping concerned is outside Europe.

Second, while some scholars have argued that the IR norm literature tends to treat the developing world as passive recipients in the norm cycle, I argue that, as a region, Southeast Asia is actually understudied as a norm ‘target’. There is a much larger literature on ASEAN’s indigenous norms (the so-called ‘the ASEAN way’) and their

---

<sup>5</sup> Jeffrey Checkel (ed.), *Socialization in European Institutions*, (Cambridge University Press, 2006)

<sup>6</sup> See generally, Legro, “Which Norms Matter?” op. cit.

evolution and possible extension to wider regional organizations than there is on the reception of any comparable transnational security norm.<sup>7</sup>

Finally, while there is a reasonably well-developed empirical literature cataloguing small arms issues and action in Southeast Asia, almost none of this work is framed in the context of broader theoretical debates in International Relations.<sup>8</sup> There has been little study of the influence of small arms norms in the region and no analysis about what the ASEAN experience may say about the salience and success of the small arms norm more generally.

The paper is in four parts. The first section briefly introduces the development of a transnational small arms norm or set of norms. The second part explores the diffusion of the norm in Southeast Asia, with a particular focus on its reception at the regional level by ASEAN. The third section critically considers the internalization and reframing of the norm within the region and the level of compliance by ASEAN states. The fourth section considers possible explanations for what it argues is ASEAN's resistance to global small arms norms. The paper concludes with a reflection on what this case might say about the norms literature more widely.

Unlike much of the norms scholarship that focuses on the origins of principled ideas and their dissemination by norm entrepreneurs, this paper focuses on reception and reinterpretation. It builds on the emerging literature on the localization of transnational norms. As Acharya argues, "studies of norm dynamics should account for a range of

---

<sup>7</sup> For examples see, Amitav Acharya, "Ideas, Identity and Institution-Building: From the ASEAN way to the Asia-Pacific way," *The Pacific Review*, 10(3): 319-46; David Martin-Jones and Michael L. R. Smith and, "Making Process not Progress: ASEAN and the Evolving East Asian Order," *International Security*, vol.32, no.1 (Summer 2007): 148-184; Jürgen Haacke, *ASEAN's Diplomatic and Security Culture: Origins, Development and Prospects* (Routledge, London, 2003); Jürgen Haacke, "The Concept of Flexible Engagement and the Practice of Enhanced Interaction: Intramural Challenges to the 'ASEAN Way'" *The Pacific Review* 12 (4): 581-611; Tobias Ingo Nischalke, "Insights from ASEAN's Foreign Policy Cooperation: 'The ASEAN Way' a Real Spirit or a Phantom?" *Contemporary Southeast Asia*, vol.22 (1): 89-122

<sup>8</sup> For empirical studies, see David Capie, *Small Arms Production and Transfers in Southeast Asia* (Australian National University, Canberra, 2002); Katherine Kramer, *Legal controls on small arms and light weapons in Southeast Asia* (Small Arms Survey, Geneva, 2001); Robert Muggah and Yeshua Moser-Pongsuawan, *Whose Security Counts? Participatory Research on Armed Violence and Human Insecurity in Southeast Asia* (Small Arms Survey/Non-Violence International, Geneva and Bangkok, 2003)

responses to new norms from constitutive compliance to outright rejection, and evolutionary and path-dependent forms of acceptance that fall in between.”<sup>9</sup> This account therefore gives particular emphasis to local agents, in this case regional elites who shape the nature and substance of ASEAN’s political and security agenda.

My argument is that the limited small arms action taken by Southeast Asian states over the last decade is a function of a particular local reframing of the norm by ASEAN.<sup>10</sup> While norm theorists have focused on the way that agents use language to highlight, dramatize and popularize new norms, they have largely ignored the fact that framing is almost always a contested process. Even Acharya, an advocate of a local focus, says that framing is “usually performed” by outsiders.<sup>11</sup> However, while most accounts do focus on the “meaning managers” who shape norms at the global level, ‘local’ norm targets can equally resist a new norm by reframing it in a way that makes it unacceptable, or else that leads only to its partial adoption. Specifically, in this case, I draw on primary and secondary sources to argue that ASEAN’s linking of small arms action to transnational crime and counter terrorism policy was a deliberate strategy designed to limit the scope and effect of small arms controls in the region. Effectively binding small arms action to ‘transnational’ issues served to close off discussion of sensitive “internal” issues, such as military and police complicity in unlawful weapons transfers, and also to exclude any comment on the legal arms trade in which some regional states have a vested interest. This reframing refashioned transnational small arms norms in a way that made them congruent with ASEAN’s preference for “sovereignty-enhancing regionalism” and its fundamental norm of non-interference in internal affairs.

### **Background to the small arms norm**

---

<sup>9</sup> Amitav Acharya, “How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian regionalism,” *International Organization*, 58, (Spring 2004): 239-275, 242

<sup>10</sup> For a discussion of framing of norms see Kenneth Rutherford, “The Evolving Arms Control Agenda: Implications of the Role of NGOs in Banning Anti-Personnel Landmines,” *World Politics*, 53 (October 2000) 74-114; Rodger Payne, “Persuasion, Frames and Norm Construction,” *European Journal of International Relations*, vol. 7(1): 37-61

<sup>11</sup> Acharya, “How Ideas Spread: Whose Norms Matter?” 244. I have problems with the terms ‘insider’ and ‘outsider’ in the localization context, not least because, as was this case here, local/insiders can be at the same time both strong supporters and fierce opponents of a transnational norm.

Small arms and light weapons have been responsible for the overwhelming number of deaths and injuries in armed conflicts since 1945. For most of this time, however, these arms were seen as wholly uncontroversial. Unlike weapons of mass destruction, there were few efforts to regulate their possession, use or transfer. However, in the mid-1990s several factors suddenly brought them to the attention of the international community.<sup>12</sup> Growing awareness that most wars were now taking place inside states, a more active United Nations, and the development and spread of broader concepts of security all helped redefine the international security agenda. This in turn brought a range of new arms control and ‘human security’ issues to prominence.

The best-known example of this new arms control agenda was the campaign against landmines, in which an unprecedented coalition of NGOs and states succeeded in generating moral pressure that led to a legally binding treaty outlawing anti-personnel landmines. Encouraged by this success, some of these same groups next turned their attention to what they called the ‘real weapons of mass destruction’, the arms most commonly used in conflict and crime around the world. NGOs in both the north and south urged governments to take action to control the spread of small arms and light weapons. At first they were joined by a small number of states, including Canada, Japan, Mali and Norway.<sup>13</sup> But by the end of the 1990s, this coalition began to have some success and support began to grow. In 1997 the United Nations assembled a panel of international experts to consider the issue. Their report identified a range of issues that needed to be addressed by states. A series of regional initiatives followed including the 1998 Economic Community of West African States (ECOWAS) Moratorium on the Exportation, Importation and Manufacture of Light Weapons and the Organization of American States’ (OAS) Inter-American Convention against the illicit manufacturing and trafficking in firearms, ammunition and explosives. In July 2001, the United Nations

---

<sup>12</sup> These factors are set out in Keith Krause, ‘Norm-Building in Security Spaces: The Emergence of the Light Weapons Problematic,’ paper prepared for the Annual Conference of the International Studies Association, Washington DC, March 1999

<sup>13</sup> See *Freedom From Fear: Canada’s Foreign Policy for Human Security*, (Department of Foreign Affairs and International Trade, Ottawa, 2000) 9; *Small Arms: Japan’s Role in Disarmament and Development*, (Ministry of Foreign Affairs, Tokyo, 2000); also Kavi Chongkittavorn, ‘Tackling new global agendas,’ *The Nation*, 29 October 1998; AAP Newsfeed, ‘Howard backs move to limit small arms,’ 13 November 1999

signaled the beginning of coordinated global action on small arms issues, convening a major international conference on the ‘illicit trade in small arms and light weapons in all its aspects’ in New York.

The July 2001 meeting in New York concluded with the drafting of a United Nations Programme of Action on Small Arms and Light Weapons (hereafter the POA). Adopted by the General Assembly, this became the key international instrument setting out a range of actions states should adopt to deal with the small arms problem. Specific measures included securing weapons stockpiles, destroying surplus and confiscated arms, ensuring that all production, imports and exports of weapons are authorized, and setting up points of contact and information exchanges to promote greater transparency and security in the legal small arms trade. The POA also lays down the foundations for further measures, including the creation of an instrument to require the marking and tracing of small arms and light weapons and measures to regulate the role of weapons brokers.

Importantly, the UN small arms process differed from the landmine campaign in several respects. First, unlike the Ottawa Treaty, the POA is only a “politically binding” document and an example of “soft law.” The text contains numerous clauses that speak of states taking action “where appropriate” or “on a voluntary basis” and it because of this it was roundly criticized by some NGO groups as a “programme of inaction.”

Second, because discussions and negotiations for the most part took place inside the United Nations’ First Committee, they were hostage to the rule of consensus. While NGOs and states stubbornly refused to accept compromises to water down a landmine treaty, action on small arms was significantly constrained by the need to achieve international consensus. China, the United States, Russia and a coalition of Middle Eastern states, among others, worked to limit the scope of any UN action on small arms. As a result, several issues - for example the regulation of civilian possession of firearms - were excluded from the final text of the POA.

Despite clear differences from the landmines case, however, a number of writers have concluded that the UN process led to the development of a small arms norm or set of norms. Writing 18 months after the conference, Laurance and Stohl argue that, “there is some evidence that small arms norms have begun to emerge.”<sup>14</sup> They note that just “three years before the UN conference there was little consensus on any aspect of the global small arms problem. States were behaving as if there were no norms. Clearly, the Conference has changed this.”<sup>15</sup> In a chapter of its 2003 annual report dedicated to assessing norm development, the respected Geneva-based NGO Small Arms Survey argues that the POA constituted “a watershed in efforts to tackle the small arms problem – especially in terms of norm development.”<sup>16</sup> While noting a “gap in practice” in some parts of the world, it concludes that “states worldwide have accepted a political or social, if not legal, norm requiring them to take action to prevent, confront, and eradicate the illicit trade in small arms and light weapons in all its aspects.”<sup>17</sup> Similarly, Garcia argues that the period 1999 to 2001 was a key “norm formation phase” for small arms and light weapons, with “many standards and norms proposed”, including measures on “surplus management, weapons destruction, transparency, regulation of illicit arms brokering activities, and export controls.”<sup>18</sup> Krause makes a similar argument, concluding that the POA “presents a far-reaching set of normative standards for states,” and suggesting “a relatively large consensus (geographically and politically) has emerged that small arms are a problem of international peace and security.”<sup>19</sup>

The norm building process that culminated in the POA was further supported by three subsequent UN conferences, each of which examined compliance with the POA and debated the possible expansion of the UN’s activities. Alongside these meetings, smaller

---

<sup>14</sup> Edward Laurance and Rachel Stohl, *Making Global Public Policy: The Case of Small Arms and Light Weapons*, Small Arms Survey Occasional Paper no.7 (Small Arms Survey, Geneva, December 2002) ix

<sup>15</sup> *Ibid*, 36-7

<sup>16</sup> *Small Arms Survey 2003*, 247

<sup>17</sup> *Ibid*, 248

<sup>18</sup> Denise Garcia, “Making New International Norms: The Small Arms Case,” Belfer Center for Science and International Affairs Discussion Paper no. 13 (Harvard University, 2003), available online at [http://bcsia.ksg.harvard.edu/publication.cfm?program=CORE&ctype=book&item\\_id=464](http://bcsia.ksg.harvard.edu/publication.cfm?program=CORE&ctype=book&item_id=464) pp. 21-22

<sup>19</sup> Keith Krause, “Facing the Challenge of Small arms: The UN and Global Security Governance,” in Richard Price and Mark Zacher, (eds.) *The United Nations and Global Security* (Palgrave, London, 2004), p.25

groups of officials took up deliberations about action on marking and tracing of weapons, the regulation of brokering and other issues. By the early years of this century, small arms and light weapons issues had become a fixture on the conventional arms control agenda and there were growing calls for the issue to be taken up at the regional level.

### **Norm Diffusion and Reception in ASEAN**

Most recent accounts of norm creation and diffusion focus on the role of norm entrepreneurs, the actors who create and help spread new notions of what constitutes appropriate behaviour. Much of this work focuses on the role of civil society organizations and NGOs. In parts of the world, for example Africa and South America, NGOs did play an important role in spurring small arms action at the regional level. In Southeast Asia, however, there is little evidence that non-governmental groups played any kind of agenda-setting role or drove the pace of action on small arms issues. Rather, this was largely a case of state-based norm diffusion with a combination of prodding from UN agencies and “dialogue partner” states such as Canada and Japan played the most important part in getting small arms onto the regional security agenda. Both Canadian and Japanese officials stressed the view that small arms initiatives were part of a new ‘human security agenda’ that was of growing importance. While some initiatives were pursued bilaterally, they chose to make ASEAN “the primary framework through which coordinated action on small arms ...could occur”.<sup>20</sup>

ASEAN first discussed small arms issues in 1997, referring in several documents to the need to address ‘arms smuggling’ as one of many transnational threats to the region’s security along with drug trafficking, piracy and money-laundering. However, the issue did not receive any substantive attention until 1999, when specific measures were added to ASEAN’s Plan of Action to Combat Transnational Crime at a meeting in Kuala Lumpur. These measures included calls for greater information-sharing, cooperation in law enforcement and institutional capacity-building.

---

<sup>20</sup> *Implementing the Programme of Action 2003: Action By States and Civil Society* (IANSA, London, 2003) 120

The first time that the organization addressed small arms as an issue in its own right was in May 2000 at a United Nations-sponsored seminar in Jakarta. All ASEAN member states attended except Vietnam and the meeting sent a strong message about how regional officials saw the problem, urging, “that the analysis be framed in the context of transnational crime.”<sup>21</sup> The specific measures agreed to by the meeting reflected this, with participants calling for the strengthening of law enforcement, intelligence sharing, and improved border and custom controls. In February 2001, an attempt to raise small arms issues within the ASEAN Regional Forum (ARF)’s Inter-Sessional process also saw discussions limited to transnational crime. When Canada and Australia pressed for the group to consider a broader range of measures, these were opposed by China and several ASEAN members.<sup>22</sup> Vietnam and Laos bluntly denied that small arms posed any kind of problem in their states. Myanmar’s representative called for restrictions on the supply of weapons to non-state actors, but also stressed the importance of “legitimate self-defence and sovereignty” in opposing measures that would require greater transparency in arms transfers.<sup>23</sup>

By the middle of 2001 small arms were increasingly discussed in ASEAN circles, but despite the growing profile of the issue, little real attention was devoted to the issue. Many officials tasked to attend meetings openly admitted they had little or no knowledge of the subject and privately dismissed its importance as a regional security issue.<sup>24</sup> Governments were reluctant to provide new resources and repeatedly stressed the need for additional external financial support if meaningful steps were to be taken. The absence of political will was only exacerbated by a lack of reliable evidence about the

---

<sup>21</sup> Cited in Kramer, 2

<sup>22</sup> An Australian proposal to adopt a broadly focused code of conduct on small arms was opposed principally by China, with the support of Myanmar and some other ASEAN states.

<sup>23</sup> Author’s notes of proceedings of ASEAN Regional Forum Inter-Sessional meeting on Confidence Building Measures, Phnom Penh, Cambodia, 22 February 2001. Myanmar specifically opposed a suggestion that the UN Conventional Arms Register could be expanded to include small arms and light weapons.

<sup>24</sup> Interviews with officials at foreign ministries and at ASEAN and ARF-sponsored meetings in Cambodia and Vietnam, February-May 2001, at the 2001 Asia-Pacific Roundtable conference in Kuala Lumpur and a regional small arms seminar in Manila, the Philippines, in 2002.

scope of the problem and the absence of well organized groups putting domestic pressure on regional governments.<sup>25</sup>

By July 2001, ASEAN officials had settled on a common position on small arms that was acceptable to the group's wider membership. Vietnam addressed the New York conference on behalf of the organization and its statement makes clear the path the organization had decided to take. Ambassador Nguyen Thanh Chau told the United Nations conference that "ASEAN wishes to underline that this conference should focus primarily on the illicit trade in small arms and light weapons." He stressed the need for any instrument to take account of "different situations, capacities and priorities of each region" of the world, asserting that in Southeast Asia, "the problem of the illicit trade in small arms and light weapons...relates principally to trans-national crimes." His statement also stressed the importance of respecting fundamental norms of international law, including the right to self-defense and the importance of political independence.<sup>26</sup>

The conclusion of the 2001 conference and the adoption of the POA led to a number of follow up regional meetings on small arms issues. Many of these were again organized and funded by the Japan Ministry of Foreign Affairs (MOFA) and Canadian Department for Foreign Affairs and International Trade (DFAIT), sometimes with regional partners such as the Philippines or Cambodia. Prompted by these meetings and the outcome of the New York meeting, in May 2002, ASEAN reviewed its transnational crime action plan and adopted 14 'action lines' for achieving progress.<sup>27</sup> These were hardly revolutionary. The most substantive included the creation of a database for recording regional laws and incidents of illicit trafficking and the preparation of "typology studies" to determine "trends and modus operandi of arms smuggling." Nevertheless, small arms issues continued to feature in leading ASEAN agreements. They were included in the 2002 Joint declaration between ASEAN and China on cooperation in the Field of Non-Traditional Security and the January 2003 ASEAN-EU Joint Declaration on cooperation to combat

---

<sup>25</sup> Interviews with Vietnamese Ministry of Foreign Affairs officials, Hanoi, May 2001

<sup>26</sup> Statement by H.E. Nguyen Thanh Chau, Permanent representative of the Socialist Republic of Vietnam to the United Nations on behalf of ASEAN to the conference on the illicit trade in small arms and light weapons in all its aspects, New York, 10 July 2001

<sup>27</sup> *Biting the Bullet* 2003, 121

terrorism. ASEAN continued to host regular annual officials workshops on small arms and light weapons issues, although participation has declined in recent years.

### **Reception, Rejection or Reframing?**

The plethora of declarations and commitments from ASEAN in the last decade suggests that small arms norms have had some impact on the organization. Much as Laurance and Stohl note at the global level, small arms issues appear to have come out of nowhere to feature repeatedly in regional level declarations and intergovernmental action plans in Southeast Asia. However, without wanting to diminish the significance of that rhetorical change, any examination of norm diffusion must go beyond paper commitments to ensure that what is occurring is not ‘cheap talk’. In other words, has there been a change in behaviour to match impressive paper commitments? Here the picture is much more mixed.

The United Nations POA provides the minimum baseline for small arms action. States are encouraged to go beyond its explicit requirements. Accordingly, the actual requirements of the PoA, as was noted above, are extremely modest. One of the least taxing is the obligation to report on efforts made at compliance. What practical steps have actually been taken to work towards implementing the Programme of Action? However, even here, ASEAN efforts have been extremely poor. At the second biennial UN conference held in New York in 2003, only three of ASEAN’s ten members (Indonesia, Thailand and the Philippines) provided a written report on their efforts at compliance.<sup>28</sup> As of late 2005, Brunei, Laos, Myanmar, Singapore and Vietnam had not submitted a single report.<sup>29</sup>

In addition, ASEAN’s attention to the issue has been restricted to a very limited range of concerns, narrower even than the comparatively modest measures set out in the POA. As

---

<sup>28</sup> Gina Rivas Pattugalan, *Two Years After: Implementation of the UN Programme of Action on Small Arms in the Asia-Pacific*, (Centre for Humanitarian Dialogue, Geneva, 2003) 2

<sup>29</sup> Edgardo P. Legaspi, *East Asia in Action on Arms: Assessing regional compliance with the UN POA on small arms and light weapons* (Southeast Asia Forum on Armed Violence, May 2005) p.11

Cate Buchanan and David Atwood observe, “the ASEAN vision of small arms action is limited, and only understood within a transnational crime framework”<sup>30</sup> Others note that ASEAN “does not separately address the small arms issue but only in the context of regional security problems such as smuggling (including SALW), drug trafficking and terrorism.” This focus “represents the minimum common denominator within the region, in an organization which cooperates more on economic matters and less on political and security issues.”<sup>31</sup>

This extremely narrow approach means there are many issues discussed in the POA where ASEAN has not taken any action at all. These include dealing with the sources of illicit arms, such as the unauthorized production and transfer of arms *within* states and the related problem of weak controls over military and police stockpiles. In Indonesia, the Philippines, Thailand and Malaysia, these have been the most important sources of illicit weapons used by insurgents and terrorists.<sup>32</sup>

Furthermore, even in the limited areas where ASEAN has agreed to take action there are questions about its effectiveness. Interviews with regional law enforcement and security officials reveal considerable skepticism about the significance of the measures actually set in place by member states. For example, naming points of contact and agreements for information sharing frequently have little meaning in practice. According to one law enforcement officer based in the region, even among those few states that have provided names, points of contact often do not exist at the working level, the level needed for real action on the ground.<sup>33</sup> Naming senior officials in foreign ministries does nothing to promote actual cooperation where it is required. As Riefqi Muna concludes in an assessment of Indonesian action, “there is a gap between the political statements (decisions) and the actual capacity to tackle the problem on the ground, which is still very

---

<sup>30</sup> Cate Buchanan and David Atwood, *Curbing Demand in Southeast Asia*, 28

<sup>31</sup> [citation needed]

<sup>32</sup> For details on these illicit transfers, see Capie, *Small Arms Production and Transfers in Southeast Asia*

<sup>33</sup> Interview with Jakarta-based law enforcement official, May 2006

limited.”<sup>34</sup> Even in the areas where ASEAN has designated clear action lines, such as combating transnational crime, it is extremely hard to identify tangible signs of progress. One reason is there is “little accessible information about the progress of the ASEAN plan of action and work programme on transnational crime.”<sup>35</sup> The organization does not collect or publish data to assess the effectiveness of its own initiative.

ASEAN’s narrow framing of the small arms issue has spilled over into wider regional organizations in which it plays a leading role. For example, despite several years of promises by the ASEAN Regional Forum (ARF) to take action to implement the POA, little progress has occurred. This prompted the Canadian delegation to resort to unusually critical language, noting that, “the ARF’s performance has not kept pace with that of other regions. ... Given that this region is clearly not immune to the destabilizing problems of small arms, it is notable that the ARF has not even discussed a regional Programme of Action while in other regions, Africa and Latin America, for example, comprehensive conferences have produced a broad consensus on regional plans.”<sup>36</sup>

Looking back five years after the adoption of the UNPOA, it is clear that even the very modest small arms norms outlined in the POA have not been imported wholesale into Southeast Asia. As one recent assessment concludes:

There is a seeming lack of enthusiasm among governments in the region to implement the UNPOA. This can be gleaned not only from the poor record of reporting since the agreement took place (one report from eight [East Asian] countries in four years and no reports from six countries), but also from the lack of new small arms initiatives since. [...] At the regional level, ASEAN has insisted on subsuming SALW trade and trafficking in the context of transnational crime instead of directly tackling the issue...<sup>37</sup>

### **Explaining the pattern of diffusion**

---

<sup>34</sup> Riefqi Muna, “Securitizing Small Arms and Drug Trafficking in Indonesia,” in Mely Cabellero-Anthony, Ralf Emmers and Amitav Acharya (eds.) *Non-Traditional Security in Asia: Dilemmas in Securitization* (Ashgate, Aldershot, 2006) 105

<sup>35</sup> *East Asia in Action on Arms*, 49

<sup>36</sup> Canadian statement to the ARF, undated, available on the ASEAN website.

<sup>37</sup> *East Asia in Action on Arms*, p.58

Here we appear to have a case of a dog that did not bark. The consensus is that a global norm or set of norms emerged from the UN process that formulated the POA in 2001. What then explains why Southeast Asia's experience with small arms norms has been so different to that of Western Europe, much of Africa and South America? A number of factors are relevant.

First, in Southeast Asia, the spread of the small arms norm was a "top down" attempt at diffusion.<sup>38</sup> Unlike the landmine case, there was no well-organized, well-supported grass roots campaign arguing for action against small arms. As one report notes "the low level of civil society cooperation [on small arms] may be explained by the absence or limited nature of civil society groups which can or are allowed to engage with government, whether on the issues of SALW or not."<sup>39</sup> This was particularly the case in authoritarian Burma, Laos and Vietnam where there is little civil society at all, and certainly no one working on issues deemed to relate to national security. But it was also the case in ASEAN's more liberal states such as the Philippines and Thailand where small arms issues tended to be taken up by small, often poorly funded groups. There was no Southeast Asian equivalent of Viva Rio in Brazil or even the South African Institute for Security Studies (ISS), each of which played a major role in shaping small arms policy not only in their home countries, but also in their respective regions. Well-connected and better funded track two networks such as ASEAN-ISIS and the Council for Security Cooperation in the Asia Pacific (CSCAP) occasionally addressed small arms, but did not give it serious attention.<sup>40</sup> Arguably, the group with the highest profile in promoting small arms issues in Southeast Asia was the small Cambodian NGO Working Group for Weapons Reduction (WGWR). Weakness on the part of civil society at the national level

---

<sup>38</sup> Checkel 1999, 88

<sup>39</sup> *East Asia in Action on Arms*, p.46

<sup>40</sup> For example, one CSCAP Working Group meeting on export controls included a single paper on small arms by an Indonesian participant. All the other papers focused on the proliferation of weapons of mass destruction and related materials. After the paper was politely heard, discussions went back to nuclear issues. Small arms matters were scarcely raised again. Author's notes, CSCAP Working Group on Confidence and Security Building Measures, Singapore, August 10-12 2003.

was only compounded at the regional level, with little coordination (and even suspicion and hostility) between NGOs, and even less cooperation between states and NGOs.<sup>41</sup>

Second, in addition to a lack of domestic pressure on states, several regional countries have an economic and security interest in opposing any greater action on small arms because of their role in the legal arms trade. Singapore in particular is a highly advanced and successful participant in the international arms market. In the past it has provided weapons and ammunition to pariah states such as Myanmar, and its officials have consistently opposed any greater transparency in small arms transfers.<sup>42</sup> Malaysia, the Philippines and Indonesia also produce and export varying quantities of weapons and ammunition. Other states, such as Myanmar, rejected greater efforts in transparency as simply a thinly disguised attempt to shut down their sources of arms and ammunition.

Third, it is also possible to see weakness in the inherent nature of the small arms norm itself. Norm theorists argue that the simpler a norm, the more likely it will be appealing and be adopted. Unlike the landmine campaign, which simply sought the banning and destruction of all anti-personnel landmines, the small arms case was complex, requiring a distinction to be drawn between the licit and illicit arms trade and proposing a series of often-complicated regulatory initiatives. The very fact that some writers refer to a “set” of small arms norms rather a clear single norm provides some indication of the challenges involved. This complexity, so the argument goes, hindered the task of finding a receptive audience among officials and civil society groups in Southeast Asia.

But while each of these factors has some explanatory value, they struggle to explain the particular approach adopted by ASEAN. Why was some kind of action against small arms acceptable at the regional level in Southeast Asia, but other aspects of the POA were ignored? Claims that it was the innate complexity or weakness of the small arms

---

<sup>41</sup> Buchanan and Atwood, 28. Several Southeast Asian NGOs were also suspicious of Western NGO partners, and were reluctant to cooperate with them on the formulation of a regional balance sheet of compliance with the Programme of Action. Personal communications with regional NGO representatives, Manila 2002; Interview with Cate Buchanan, Director of the Small Arms Programme at the Centre for Humanitarian Dialogue, Geneva, June 2007.

<sup>42</sup> On Singaporean exports, see Capie, *Small Arms Production and Transfers in Southeast Asia*, op. cit

norm struggle to explain variances in its adoption between regions. European states were at the forefront of the campaign for greater action and the EU strongly supported not only the POA but also adopted a wide range of additional small arms measures. Clearly, European governments and institutions had little trouble interpreting and adopting this complex norm.

Nor does an interest in the legal arms trade preclude significant internalization of the norm. Several major arms exporting states (such as Switzerland, Austria and South Africa) had few difficulties adopting and implementing the POA. A different security or developmental environment also only has limited explanatory value. In Sub-Saharan Africa, where many of the world's conflicts continue to be fought, the POA was widely supported and implemented as a *sovereignty-enhancing* instrument, protecting weak states from violence and instability.<sup>43</sup>

Rather, ASEAN's approach needs to be seen in the context of its existing normative structure and its institutional structure. A key factor in determining the successful diffusion of norms is congruence with existing values. In ASEAN's case, its key constitutive norms are the principles of non-intervention in internal affairs and the importance of sovereignty - the much-discussed 'ASEAN way'. Despite debates about relaxing these norms in recent years, they remain influential and deep rooted.

These norms presented a challenge for campaigners wanting greater action against small arms. Many of the initiatives in the generally untaxing United Nations POA raised the possibility of interference in, or at least publicly raising, sensitive domestic issues. In Indonesia, Thailand and the Philippines, it was well known that the police and military were among the largest suppliers of weapons to insurgents and criminals. For example, in August 2003, a senior Philippines' military officer admitted to *Jane's Intelligence Review* that more than 8000 army weapons had gone missing in Sulu province alone over a fourteen-year period. Most of these, he said, had been given or sold to groups like Abu

---

<sup>43</sup> Personal communication with Owen Green, Phnom Penh, Cambodia, June 2001. On norm development in Africa, see chapter 3 of Small Arms Survey's 2003 yearbook (Small Arms Survey, Geneva, 2003)

Sayyaf and the Moro Islamic Liberation Front (MILF).<sup>44</sup> In Thailand and Indonesia, senior military officers were known to be involved in the diversion of military stocks for profit. Seriously tackling the leakage of arms from the licit to illicit trade would have, at the very least, required open and frank discussion about the nature and scale of the involvement of state security forces.

There was almost no ‘demand’ for new norms to take action against small arms, at least from states within Southeast Asia. Rather, pressure from international partners and the fact the issue was raised at institutions like the UN made it impossible for ASEAN to totally ignore the small arms issue. Canada and Japan, in particular, played a key role in shaping the regional agenda within Southeast Asia. The strength of preexisting regional norms, however, meant that if adopting the POA wholesale would lead to interference on sensitive issues, then it was not acceptable. One way to avoid this was to link any action on small arms to ‘transnational’ concerns, inherently avoiding sensitive internal issues. This meant reframing the norm to limit the scope of its application. Thus, in every ASEAN meeting from the middle of 2001 onwards, regional officials consistently stuck to the line that small arms action meant action against transnational crime and terrorism. They rejected attempts by external actors such as Australia and Canada to impose even a modest code of conduct regarding transparency in arms exports or to take up a regional plan of action. At the regional level they refused to address ‘sovereign’ issues such as stockpile security and leakage by security forces, despite the fact that these are among the key requirements of the POA.

What, if anything, does this case tell us about larger processes of norm diffusion? First, it largely confirms the importance of considering the role of local actors in receiving and reshaping global norms. According to Acharya, processes of what he calls “localization” may start with a “reinterpretation and re-representation of the outside norm but may extend into more complex processes of reconstitution to make an outside norm congruent

---

<sup>44</sup> Anthony Davis, “Philippine security threatened by small-arms proliferation,” *Jane’s Intelligence Review*, August 2003, 32-37

with a preexisting local normative order.”<sup>45</sup> The idea of localization as an overarching framework or spectrum of activities is helpful in considering how ideas spread in this case. I argue ASEAN’s engagement with global small arms norms is better described as the re-representation of these ideas rather than their adoption, rejection or substantive restructuring. In essence, the organization kept what it liked from global small arms instruments and quietly jettisoned (or “pruned”) the rest.<sup>46</sup> There was no real attempt to add new interpretations to the norms that were imported. ASEAN and the ARF were largely passive when it came complying with the UNPOA and the former displayed little enthusiasm or creativity when it came to developing its own regional action plan on transnational crime.

ASEAN’s re-framing succeeded, however, in two key aspects. First, by focusing on the transnational it served to close off any discussion about licit – illicit links. Second, it effectively ruled out any discussion of issues inside member states. By doing so, ASEAN officials made limited small arms action congruent with key regional norms – in particular the principle of non-interference in internal affairs. This was a clear case of the “exclusion of certain elements of new ideas that” in the eyes of regional elites at least, “might harm the existing social order or increase the risk of social and political instability.”<sup>47</sup>

It is tempting to see the case of small arms norm diffusion in Southeast Asia as a simple failure. In this view, new cosmopolitan standards of ‘global’ behaviour put forward by a well-intentioned coalition of states and NGOs were rudely rejected at the regional level in Southeast Asia. But while the response of ASEAN undoubtedly did not meet the expectations of local and ‘northern’ NGOs and some external states, it would be wrong to say small arms norms had no impact at all. The norm found its way into successive ASEAN declarations and action plans. There was some action at the regional level and some states, notably Cambodia and to a lesser extent the Philippines, did take steps to address aspects of their domestic small arms problems. To be sure, large parts of the POA

---

<sup>45</sup> Acharya, “How Ideas Spread: Whose Norms Matter?” 244

<sup>46</sup> ‘Pruned’ is Acharya’s term. Ibid, 246

<sup>47</sup> Ibid.

were ignored. But what occurred at the regional level is better categorized as an example of reframing as resistance, not outright rejection.

As was noted at the beginning of this paper, constructivist scholars have preferred to focus their attention to date on successful norms that have been internalized by target states. More recently, they have been challenged to look at those norms that fail to take hold and that wither on the vine. The analysis outlined here finds something in between. It supports Acharya's conclusion that perhaps the most common experience with the diffusion of 'global' norms in the developing world might be neither total success or failure but something in between.

The ASEAN experience with small arms suggests that norms scholars need to not only look at these 'in between' cases, but should also be more attentive to the processes that follow on from initial norm construction. Much of the work on small arms norms focuses on the development of a norm in the United Nations, particularly in the period between 1999 and 2001. This reflects a wider tendency in the literature to focus on the origins of norms and also to assume that a norm "once adopted, retains its original meaning."<sup>48</sup> In Southeast Asia, however, the empirical evidence suggests something quite different. The agreement of global small arms norms in the UN Programme of Action was only the very beginning of a complex process of dialogue, contestation, framing and reframing. Even once ASEAN states had committed themselves to a series of normative actions in New York in 2001, how they defined, interpreted and used the norm locally, changed it considerably in form and content.

Finally, I argue that the mediating role of regional institutions needs to be given closer inspection in studies of norm diffusion, even in cases where the regional body appears weak in relation to member states. In this case ASEAN was a key mediator between its member states and transnational actors (state and non-state groups) pressing new ideas. Southeast Asian states by and large had little interest in small arms as a security or

---

<sup>48</sup> Kees Van Kersbergen and Bertjan Verbeek, "The Politics of International Norms: Subsidiarity and the Imperfect Competence of the European Union, *European Journal of International Relations*, vol.13 (2) (2007): 217-238

humanitarian issue. They could afford to let the issue be raised by external players, confident that the existing normative agreements in place regionally would safeguard their concerns about sovereignty and meddling by outsiders.

Working multilaterally through ASEAN at the regional level was a deliberate strategy adopted by the principal norm entrepreneurs, Canada and Japan. This approach was taken on the assumption that it would be more efficient than working bilaterally. The strength of ASEAN's established norms, however, meant that action to promote transparency and any steps perceived to raise sensitive internal issues at the regional level would always struggle to gain support. In this case, working multilaterally succeeded in generating some impressive rhetoric and statements of regional concern, but in practice did little to advance even a relatively modest set of global small arms norms within ASEAN's member states.