

Paper 1

Sociological Analysis on State Policy Behaviour in the Making of Regional Policy on the Protection of Migrant Workers: the Case of Indonesia and the Philippines in ASEAN

Anisa Santoso

Institute for Asia Pacific Studies, the University of Nottingham

Ldxas16@nottingham.ac.uk

Abstract

Although ASEAN has been moving progressively in free market and economic integration, areas of social protection, especially the protection of migrant workers has had little progress since member countries confirmed their commitment for it in 1994. In 2007 ASEAN members expressed agreed on the Declaration for the Protection and Promotion of the Rights of Migrant Workers. Despite high hopes this particular Declaration remains to be piece meal and preoccupied with issues of terminology. This development is contradictory to the fact that ASEAN member countries has around 13.5 million of their nationals working as migrant workers all over the world, 5 million of which working within region. Indonesia and the Philippines are the major sending countries and are also the main initiators for most policy proposals concerning the protection of migrant workers in ASEAN. Indonesia, especially, has historically been the region's known 'founding father' and 'facilitator.' A regional policy framework for the protection of migrant workers needs the support of these two major countries to be established, and at the time being the strength of Indonesian and Filipino support to push forward such policy been slow coming. This paper seeks to unravel dynamics surrounding sociological forces within the two countries' foreign policy process that contributes to this slow response. Using sociological institutionalism the author argues that besides forces from ASEAN, there exist domestic social forces in the two countries that considerably halt agreements on the policy.

INTRODUCTION

Historically Southeast Asian countries have supplied many of the world's workers. Through the 1950s up to the 1970s these workers were sent to United States and industrial

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countries in Europe,¹ and to the Middle East from the start of the oil boom.² It was only when Southeast Asia experienced economic boom in the 1980s that it became a new destination for the region's workers. Major sending countries like Indonesia and the Philippines have altogether supplied close to 20 Million workers in Southeast Asia.³ This amount accounts for as much as ten percent of all workers in ASEAN.⁴ Furthermore these workers benefit both sending countries from their remittances as well as receiving countries from the use their services to support countries' industries and development. On the contrary, treatments towards these workers have done little to portray appreciation of the benefits they offer. Migrant workers in the region have often been the victims of exploitative and violent conducts which makes it difficult for them to work properly and provide their benefit to parties involved. Many of these cases also involve indecent working conditions, illegal holding of passports and arrests which followed mistreatments on migrant workers and forced deportations.⁵ In the long term these issues can not only disturb the industrial process where workers are involved in but also create political tensions between receiving and sending countries and halt overall ASEAN integration. Despite this fact ASEAN has yet to come up with a coherent working regional protection policy for member countries.

Compared to ASEAN, other regional associations such as the EU (European Union) and Mercosur (Mercado Común del Sur) have progressed well ahead in establishing a regional framework for the protection of migrant workers. The EU covered migrant workers protection, as early as 1951 Paris Treaty and 1957 Treaty of Rome.⁶ Treaty of Amsterdam 1997 and the

¹ Firdausy, C.M. (1996) *Movement of People Within and from the East and Southeast Asian Countries: Trends, Causes and Consequence*. (pp.1-12) Jakarta: Toyota Foundation and Southeast Asian Studies Program, Indonesian Institute of Sciences.

² Stalker, P. (2000) *Workers without frontier: The Impact of Globalisation on International Migration*. Geneva: International Labour Office. Quoted in Wickramasera, P. (2002) *Asian Labour Migrations: Issues and Challenges in an Era of Globalization, an International Migration Paper*. (p.14) Geneva: International Migration Programme International Labour Office.

³ Mathi, B. (2008) from MARUAH Singapore, "Elaboration of an ASEAN Instrument on Migrant Workers" a paper presented on the 7th workshop on ASEAN Mechanism for Human Rights 12-13 June 2008, and statistics gathered by the National Board for the Placement and Protection of Indonesian Migrant Workers, Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia, BNPTKI(2009) Jakarta: BNP2TKI.

⁴ ILO Report (2009) "Labour Market Indicators Profile for ASEAN Member Countries 1995-2008" accessed from ILO website http://www.ilo.org/asia/areas/lang--en/WCMS_143029/index.htm

⁵ International NGO Forum on Indonesian Development (INFID) (2008) "Promotion and Protection of all Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development." Statement to the United Nations General Assembly, Human Rights Council Seventh Session, Agenda Item 3, 25 February 2008.

⁶ Treaty establishing the European Community (Nice consolidated version) - Part Three: Community policies - Title III: Free movement of persons, services and capital - Chapter 1: Workers - Article 39 - Article 48 - EC Treaty (Maastricht consolidated version) - Article 48 - EEC Treaty. It was stated that freedom of movements of workers is

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establishment of the Community Charter on the Social Rights of Workers in 1989 put migrant workers protection in the heart of the European Union Social framework.⁷ EU's commitment in protecting migrant workers is further reinstated with the creation of European Social Fund as well as within the social rights protection clauses in the Treaty of European Union (TEU).⁸

Despite its less developed economic level compared to the EU and relatively young age,⁹ Mercosur has intensively supported the protection of migrant workers and integrated it within the heart of Mercosur's regulatory framework.¹⁰ Mercosur's labour policy is influenced by active support and participation of members' Ministers of Labour in accounting migrant workers' rights in the regional cooperation.¹¹ Mercosur's social clauses within the Labour Declaration are integrated with the ratification of the 1990 ILO Conventions on the Protection of Migrant Workers and their Families. In practice this legislation is also equipped with region-wide labour inspection and a support towards members' social safety net application.¹² This commitment of Mercosur's is strengthened further with the creation of a Permanent Multilateral Commission with Decision 19/97 as a forum of transnational cooperation where trade unions, national administrators and employer representatives can communicate their needs and demands.¹³

In 1998 Mercosur members signed the Social Labour Declaration from which a Social-Labour Commission was created. This commission consists of twelve members representing the government, labour and businesses of each sector available, and functions to ensure the protection of labour rights and application of correct measures to achieve this in member states. A review of members' experience in applying this Declaration is submitted annually, where the

secured within the community and this would include abolition of any discrimination against workers from taking up employment between nationalities. From Eurolex,

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12002E039:EN:HTML>

⁷ "Social and Employment Policy" http://www.europarl.europa.eu/factsheets/4_8_1_en.htm

⁸ Treaty of European Union Protocol No.14 concerns equal treatment and improvements for the protection of Labour "Social and Employment Policy" http://www.europarl.europa.eu/factsheets/4_8_1_en.htm

⁹ Mercosur was established with the signing of the Treaty of Ascuncion in 1991.

http://www.mercosur.int/t_generic.jsp?contentid=655&site=1&channel=secretaria&seccion=2

¹⁰ Polaski, S. (2004) Protecting Labor Rights Through Trade Agreements: An Analytical Guide. *Journal of International Law and Policy*, 10(13) pp 13-25.

¹¹ Patarra, N. (1999) Economic Integration, Labor Market and International Migration: The Mercosur Case in Campinas, *Brazilian Journal of Population Studies*, 2, pp.165-182.

¹² MERCOSUR WSG No. 10 "Labour affairs, employment and social security" from

http://www.mercosur.int/msweb/Documentos/Publicados/Declaraciones%20Conjuntas/003671668_CMC_10-12-1998_DECL-DPR_S-N_IN_SocioLaboral.pdf

¹³ Duina, F.G. (2006) *The Social Construction of Free Trade: the European Union, NAFTA and MERCOSUR* (pp.174-176) New Jersey: Princeton University Press.

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commission develop recommendations for the better fulfilment of the Declaration.¹⁴ Despite their economic, social and political turmoil, the member countries of Mercosur remain to put migrant workers protection a priority, something that ASEAN has not yet able to consolidate between its members.

As ASEAN maintains an intergovernmental function in dealing with policy matters¹⁵ the question within the last paragraph can be explored by analysing the roles of major players in the issue. Parties who will most likely be benefiting from of a regional policy on the protection of migrant workers in this concern are the region's major workers sending countries; Indonesia and the Philippines. Despite the logic, in the campaign towards a policy to protect migrant workers in ASEAN the two countries, remains indecisive in coming up with a solid policy framework. The first arrangement to incorporate protection of migrant workers within the ASEAN institution was made under the ASEAN Vision 2020.¹⁶ The Indonesian government has played a dynamic role in putting the concern of migrant workers protection within the ASEAN Vision. In the follow up of the campaign the Indonesian government has also been actively promoting the issue, but when it comes to the bargaining tables little progress has been made. This development presents the problem around which the research will revolve on.

In 2007 the member states of ASEAN signed a Declaration for the Protection and Promotion of the Rights of Migrant Workers. This declaration is the most that the member

¹⁴ Compa, L. (2005) Crafting a Social Dimension in a Hemispheric Trade Agreement in *Proceedings of the 57th Annual Meeting of the Labor and Employment Relations Associations Series*, January 7-9, 2005, accessed from <http://www.press.uillinois.edu/journals/irra/proceedings2005/index.html>

¹⁵ On the intergovernmentalism and national-leader centric nature of ASEAN see Webber, D. (2003) Two Funerals and a Wedding? The Ups and Downs of Regionalism in East Asia and Asia Pacific after the Asian Crisis. in Laursen, F. (ed.) (2003), *Comparative Regional Integration: Theoretical Perspectives*. (pp.125-153) Hampshire : Ashgate Publishing.

More on intergovernmentalism in Andrew Moravcsik (1993) Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach. *Journal of Common Market Studies*, 31(4), 473-524.

¹⁶ The ASEAN Vision 2020 established in 1997, which is further developed under Hanoi Plan 1998 where a roadmap was produced to design what was then known as the Vientiane Action Programme in 2004.¹⁶ Under this Programme the member countries committed on establishing an ASEAN Community which includes instituting a further elaborated instrument for the protection and promotion of migrant workers. The Hanoi Plan was developed as a move forward from the ASEAN Vision where a blueprint towards a more concrete cooperation in economy, environmental protection, sustainable development, improvement of social and human resources as well as the coordination of efforts to dampen the effect of the financial and economic crisis. The Vientiane Action Programme redefines ASEAN member countries' intention of establishing a durable and active ASEAN Community through the creation of three pillars; ASEAN Security Community (ASC), ASEAN Socio-Cultural Community (ASCC) and the Recommendations of the High Level Task Force on ASEAN Economic Community. From <http://www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf>

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states have achieved in the specific regulation, despite having to initiate it with the establishment of Hanoi Plan in 1994. Even so, thirteen years after initiating the concern within the Hanoi Plan, the regional cooperation has not come far from reinstatement of ASEAN's commitment on the protection of migrant workers and definitions. The question that arises here is why ASEAN has only come as far in regards to their regional migrant workers policy? Here the author argues that the answer lies within the dynamics of social forces in main sending countries' domestic politics, which is why a focus on main labour exporting countries will be vital.

REVIEW OF ANALYTICAL FRAMEWORK

Traditional approaches of realism and liberalism has suggested different approaches to foreign policy. Foreign policy according to realism is approached with a 'rational outline' by way of defining 'interest in terms of power and survival.'¹⁷¹⁸ States are unitary main actors, whose behaviour and foreign policy are influenced by material structures of power,¹⁹ denouncing the morals and the ideas from international politics, thus, ignoring issues that are of societal concern, rendering societal actors insignificant.²⁰ A protection policy for migrant workers will not be considered as a priority for realist foreign policy makers as it does not directly entail the maintenance of states survival or its power expansion. Liberalism on the other hand has a number of assumptions that can shed new light into the case in this paper. Different to realism the approach sees actors in international politics to include as well non-state societal actors other than states,²¹ and that foreign policy is a tool to develop peaceful relationship and achieve mutual gains.²² The catch with liberalism is that its roots on classical economic approaches mean that there is great tendency for its scholars to regard migration

¹⁷ Morgenthau, H. J., (1978) *Politics Among Nations: The Struggle for Power and Peace*, Fifth Edition, Revised. New York: Alfred A. Knopf, (pp. 4-15).

¹⁸ Walt, S. M. (1998) International Relations: One World, Many Theories. *Foreign Policy*, Special Edition Frontiers of Knowledge (110), pp. 29-31, 34-46, particularly p.31.

¹⁹ Mearsheimer, J. J. (1995) The False Promise of International Institutions. *International Security*, 19(3) pp.5-49.

²⁰ Meyers, E. (2000) Theories of International Migration Policy: A Comparative Analysis. *International Migration Review*, 34(4) pp.1245-1282.

²¹ Lindberg, L. (2007) *The Regionalisation Process in Southeast Asia and the Economic Integration of Cambodia and Laos into ASEAN*, (p.54) Goteborg: School of Business, Economics and Law, Goteborg University.

²² A notion supporting what is known as known as 'democratic peace.' This is the view that democratic nations, driven by interconnectedness, are pushed towards making peace as opposed to paying the high cost of going to warfare. Based on Woodrow Wilson's message to the Congress, April 2 1917 quoted by Russett, B. (1993) *Grasping the Democratic Peace: Principles for a Post Cold War World* (p.3) Princeton: Princeton University Press.

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policies from the point of view of economic 'push and pull factors.'²³ This leads migration policy studies to the realm of studies of unequal development, where no satisfactory analytical tool to depict the policy making process is viable.

With the increasing role of societal actors, liberalist views suggest the heightened role of domestic politics in international politics. Such propositions have been equally explored previously by Peter Katzenstein, Stephen Krasner, James Rosenau, Andrew Moravcsik, Peter Gourevitch and Thomas Risse-Kappen. In their works Katzenstein and Krasner stress on the influence of domestic structure in the making of a foreign economic policy, especially in the industrial world.²⁴ This is what Rosenau termed as 'linkage politics,'²⁵ 'internationalisation of domestic politics' for Moravcsik, and²⁶ 'second image reversed' for Gourevitch.²⁷ In practice Risse-Kappen suggests that these particular linkages between international politics and 'political institutions, policy networks, and societal structure' can even inform anomalies within governments' response to the same international constraints.²⁸ Particularly on the issue of migrant workers protection Nicola Piper argues that domestic political level is especially determinant because within the regional negotiation to regulate social protection of workers, the domestic politics of states governments' involved are interfered.²⁹ The question arising from this point then becomes how should these domestic political forces be analysed in relation to the policy making of regional protection of migrant workers in ASEAN? From recent field

²³ Castles, S. and Miller, M. J. (2003) *the Age of Migration, International Population Movement In the Modern World, Third Edition* (p.22) New York: Palgrave, 2003.

²⁴ See Katzenstein, P. (1976) International Relations and Domestic Structures: Foreign Economic Policies in Advanced Industrial States. *International Organisation*, 30, pp.1-45 and Krasner, S. (1978) *Defending the National Interests: Raw Materials, Investments and US Foreign Policy*, Princeton: Princeton University Press.

²⁵ Rosenau's accounts on the behaviour of states in the regional integration of the EU opened up the idea that domestic and international politics are more and more linked to each other, which he further termed as 'linkage politics.' See Rosenau, J. N. (1969) Towards the Study of National-International Linkages. In Rosenau, J. N. (1969). *Linkage Politics: Essays on the Convergence of National and International Systems* (pp.40-46). London: Collier-Mac Millan.

²⁶ On again an examination of the behaviour of states in the EU Moravcsik argues that through this integration states are actually strengthened with more control on international areas previously untouched. In so doing what states would do is what Moravcsik conclude as 'internationalisation of domestic politics'. See Moravcsik, A. (1994) Why the European Community Strengthens the State: Domestic Politics and International Cooperation. *Centre for European Studies Working Paper* No. 52 (pp.10-16) Cambridge: Harvard University Press.

²⁷ Gourevitch shied away from the isolation of domestic causes of international politics by signifying the great importance of examining both domestic and international simultaneously. In his 'second image reversed' he focuses also on how the international system equally influences domestic politics. Gourevitch, P. (1978) Second Image Reversed: The International Sources of Domestic Politics. *International Organisation* 32 (4) pp. 881-912.

²⁸ Risse-Kappen, T. (1991) Public Opinion, Domestic Structure and Foreign Policy in Liberal Democracies. *World Politics*, 43(4) pp. 479-512, especially p.480.

²⁹ Piper, N. (2004) Rights of Foreign Workers and the Politics of Migration in Southeast and East Asia. *International Migration*, 42(5), pp.71-97.

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work in Indonesia and the Philippines conducted from January to April 2011 the author observed that decision making on regional policy framework on migrant workers are largely influenced by a variety of societal actors, lobby groups and individuals. Instances of bargaining and negotiation on the policy do not always portray direct communication on the negotiation table, but involve multilevel multi-stage interactions that occur outside of the negotiation. From this observation the author regards that such interactions are what not only overlooked previously, but also determinant to state behaviour. The author argues here that the analytical framework of sociological institutionalism will aid the analysis further and drives the discussion closer to an answer for its research question.

Sociological institutionalism based their ontology on social and ideational grounds, focusing on *idealism* and *structuralism*.³⁰ Identities and interests of actors is explained as “products of collective ideational structure and social interactions,”³¹ making ‘ideas’ the creator for the bases of any social political action.³² Sociological institutionalism views that ideas perform this task by instilling a particular structure or form of identity through institutionalised norms and values, while institutions do this by affecting individual’s perception, thus, providing the terms through which meanings are assigned in social life.³³ This institutional environment, which is structured by “collective rules and schemata,”³⁴ is what then influences actors’ view on their role and consequently preferences. In the case for this paper the author argues that both the Indonesian and Filipino government’s slow response in the establishment of migrant workers protection policy is more influenced by their institutional environment than rational calculation of foreign policy. To be able to unravel this systematically the paper’s case study will focus on the building of three main components of sociological institutionalism; institutions, identity and discourses. Institutions here refer to the active component of the

³⁰ In explaining the sociological approaches of international relations Schimmelfennig interchangeably used the inference of constructivism, as some of the approach’s basic claims are in line with those of sociological approaches, especially sociological institutionalism. Sociological approaches see that in international relations the causes of all actions are idealism and structuralism. This means that ideas involving normative and epistemic interpretations of the ‘material’ world are what shaped the world. Within these ideas a structural framework of institution is embedded as quoting Durkheim Schimmelfennig pointed out that ideas have structural “intersubjective” quality. See Schimmelfennig, F. (2003) *The EU, NATO and the Integration of Europe: Rules and Rhetoric* (p.68) Cambridge: Cambridge University Press.

³¹ *Ibid*, pp.66-67.

³² Hall, P. A., & Taylor, R.C. (1996) Political Science and the Three New Institutionalisms. *Political Studies*, 44(5) p.15.

³³ *Ibid*.

³⁴ Jepperson, R., Wendt, A., & Katzenstein, P. (eds.) (1996) *Norms, identity and Culture in National Security*, New York: Columbia University press, p. 33-75.

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process, as Robert K. Merton suggests institutions involve “structures of opportunities, shaping the interests and strategic actions of individuals.”³⁵ ³⁶Identity here concerns of a particular conception of ‘self’ referring to what is ‘appropriate’ to do,’ hence relates to what actors see as their interests and preferences,³⁷ and the result of this process of institutionalisation. Discourses here refer to the mechanism of institutionalisation as it constitute actors’ social environment which through value permeation constrains actors’ behaviour.³⁸ The author deems that the inquiry posed in this paper will benefit from the analysis of these few components as they shed light into the works of social forces in the establishment of a regional level policy for the protection of migrant workers.

THE CASE OF INDONESIA AND THE PHILIPPINES

From the case in Indonesia and the Philippines, what the paper needs to identify is what relevant institutions have been present, whether or not they institutionalise values and norms that are supportive of the protection of migrant workers, the identity that surfaces from this institutionalisation, and the discourses from which this institutionalisation is conveyed. The discussion reviews governments between the two countries through time until the modern period to see the extent of which supportive institutionalism took place.

Historically both Indonesia and the Philippines experienced similar trends in their workers migration and protection regulation. For Indonesia it started during the Dutch Colonial reign in 1890 where Indonesians were sent to Surinam,³⁹ while for the Philippines it started

³⁵ Quoting Robert K. Merton, Nee, V. (2005) *The New Institutionalism in Economy and Sociology* in Neil Smelser and Richard Swedberg, (2005) *The Handbook of Economic Sociology* (pp.22-23) New Jersey: Princeton University Press.

³⁶ W. Richard Scott defines the relationship between institutions and discourses by portraying how institutions instil these ideas through rules and regulation on its members which impose the implementation of particular routines, discourses and symbols. See Scott, W.R. (2001) *Institutions and Organizations, Second edition*. (p.49) London: SAGE Publications.

³⁷ March, J.G., & Olsen, J.P. (1998) *The Institutional Dynamics of International Political Orders. International Organization*, 52(4) p.949.

³⁸ Jepperson, R.L. (1991) *Institutions, institutional effects and institutionalization* in Walter W. Powell and Paul J. DiMaggio (eds.) (1991) *The New Institutionalism in Organizational Analysis* (p.149) Chicago: University of Chicago Press.

³⁹ A historical account on how Indonesian Migrant Workers first started since the Colonial period, written and compiled by the BNP2TKI in their website <http://www.bnptki.go.id/berita-mainmenu-231/berita-foto-mainmenu-31/4054-sejarah-penempatan-tki-hingga-bnptki-.html>

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earlier around 1565 during the Spanish reign.⁴⁰ It is also under the rule of the Dutch colonial government that Indonesian workers were introduced to intra-regional migration to Malaysia, which was under the British protectorate.⁴¹ For the Filipino workers similar occurrence brought them to Hawaii plantations and the US.⁴² Although migrations and working abroad has been long experienced by these two countries, the focal point of their regulation remains centred in supply management and less in the protection of workers. The struggle for economic development along with the quest for political stability has rendered the countries unable to consolidate a protection mechanism for migrant workers, domestically and especially regionally. The author argues that when such social policy is elevated to the regional level it requires stronger social consolidation from institutions in domestic politics. When identities supportive to the protection of migrant workers cannot be created on the many levels of domestic institutions, a strong social consolidation will be hard to achieve. From exploring the development of governments' discourses and identity formation from 1999 to 2009 the author found the occurrence of this trend in Indonesia and the Philippines.

LOOKING INTO THE BLACKBOX: THE EXPERIENCE OF INDONESIA AND THE PHILIPPINES

At the start of its development, Indonesian institutions initially embraced the pro-labour protection identities. Under the Dutch colonial government there exists a form of protection regulation for Indonesian workers that worked in the Malayan British Protectorate in 1909,⁴³

⁴⁰ Taken from the Introductory page of the group Migrant Orientation (The Progressive Movement of Overseas Compatriots), accessed from <http://www.kasammako.prophp.org/education.htm>

⁴¹ Despite territorial and historical proximity, countries within the Southeast Asian region did not start out being the original destination of the first wave of migrating workers of Indonesia. During its Protectorate era Indonesian (at those times known as Javanese or Sundanese) workers migration into Malay was encouraged as a part of Raffles' policy to develop the transit port of Singapore. Around the year 1870 the British protectorate government saw potentials in the region's manufacturing industry. The abundance of natural resources promises a great deal of opportunity for the region's industry and trade particularly benefiting the British government. Hugo, G. (1993) Indonesian Labour Migration to Malaysia: Trends and Policy Implications. *Southeast Asian Journal of Social Sciences*, 22(1) pp.36-65.

⁴² Around 1906 Filipino workers were sent to work in Hawaii's plantations basing from an agreement of the Philippines government and the Hawaii Sugar Planters' Association (HSPA). Until 1935 approximately 120,000 Filipino workers have been sent to work in the plantations. From here they found their way to jobs in the US, especially after the adoption of Hawaii as the 50th state in 1959. See Alegado, D.T. (1991) The Philippines Communities in Hawaii: Development and Change. *Social Process in Hawaii*, 33, pp.12-38.

⁴³ It was in 1909 that Dutch administration released a protective scheme to complement the permit mechanism for Indonesian workers abroad named the Netherlands Indian Labourer Protection Enactment. See Kaur, A. (2004) Mobility, Labour Migration and Border Controls: Indonesian Labour Migration to Malaysia since 1900s, Paper

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but as the newly independent Indonesian government sets in 1945 this law was abolished along with other colonial laws. From the period of 1999 to 2009 the creation of institutions to protect migrant workers and elevate their protection at the regional level is apparent in both Indonesia and the Philippines. Despite the fact, the author found that on the field identity formation and discourse distribution the two countries still unable to come up with a consolidated idea between its governmental and societal groups. This, in turn is what contributed to the low priority the national leaders have on establishing migrant workers policy. The discussion of the two countries will also involve periods before 1999-2009 that the author deem to be detrimental to the development of social forces in the periods observed.

The trend of managing migrant workers and labour issues in Indonesia is strongly influenced by historical tendencies brought about by the ruling of colonial times and by the policies of recent regimes. Their colonial heritage led the Indonesian government to view workers migration as a tool of welfare generation, which makes its regulations closer to the management of supply and demand. Post war development, added with constant political turmoil and obsession over economic development and unemployment problems have led both Indonesia and the Philippines to unable to come up with discourses that create supportive identities towards migrant worker rights.

Indonesia: holding on to the past

Indonesia's longest reigning President Suharto's time entered the country into a 32 year –long repression both over societal issues and labour groups, pushing a similar outlook on migrant workers protection as colonial times. Suharto's main focus during his reign is on maintaining his control in the government and safeguard of his regime.⁴⁴ This is appropriately backed by his influence on the armed forces which play central institutional part of Suharto's Indonesia and spread across the many levels of legislature, ministerial posts and citizen lives. Historical struggle against communism gave Suharto a reason to maintain control by repressing organisations that carry a leftist 'sound'; leading to strict government control on activities by

presented in the 15th Biennial Conference of the Asian Studies Association of Australia in Canberra 29 June-2 July 2004.

⁴⁴ Sidel, J. T. (1998) Macet Total: Logics of Circulation and Accumulation in the Demise of Indonesia's New Order. *Indonesia*, 66.pp.158-160.

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trade unions and labour organisations.⁴⁵ Pancasila⁴⁶ serves as both a norm and ideology for the Indonesian nation, and Suharto's New Order is the institutional 'order' by which correct application of the norms is imposed.⁴⁷ The discourses under this government relates to the slogan of 'ensuring political stability and economic development' which is frequently utilised by the president in his policy proposals.

From this period a trend of treating the matters of workers migration from an economic view of welfare generation was further instilled. The sending of migrant workers was another way for the regime to maintain its power, by creating less worry about unemployment and providing welfare opportunities for its nationals. This is seen in the policies released during this period, including the Medan Agreement of 1984,⁴⁸ and Suharto's Five-Year Development Plans, from the Fifth and Sixth of which the government set out a target of 'labour export' by 1.25 million workers by 1998/1999.⁴⁹ The process of institutionalisation and socialisation of appropriate labour identities were repressed and undermined during this period. The repression of critical voices and strict control of trade unions, information and media content portrayed a particular "logic of appropriate actions" to the Indonesian public. Weakened legislature and heightened decision making power of Ministries maintains the president's central role in this nation-wide control of national norms.

For a long period after the fall of Suharto, the repression towards socialist issues remains to haunt societal groups in Indonesia. The long reign of New Order presented the new Indonesian government with a long-established system which is entrenched in the many branches of governmental and societal organisations. When the next president Habibie came and set out his extensive programme of reforms, it was difficult for the government to completely form a stable identity and institutions to uphold it. Institutional reforms, in

⁴⁵ Ford, M.(2010) A Victor's History: A Comparative Analysis of the Labour Historiography of Indonesia's New Order" *Labor History*, 51(4), p.524.

⁴⁶ The Five Principles on Which Indonesian Life is supposed to be based and relying on. The principles includes belief in religion, upholding of justice and civilised humanity, the commitment on the integrity of Indonesia, upholding of consultation and consensus in decision making and a commitment towards social justice in Indonesia. See Morfit, M.(1981) Pancasila: The Indonesian State Ideology According to the New Order Government *Asian Survey*, 21(8) pp.840-841.

⁴⁷ As stated by Ali Moertopo, an adviser to President Suharto. In Moertopo, A. (1972) Some Basic Considerations in 25- Year Development.*The Indonesian Quarterly*, I(1) pp. 4, 13, 14. 18. Also quoted in Ford, M. (2010), *Op.cit.* p.524.

⁴⁸ See Ajis,M.N., Saludin, M.N., Ismail,A., Von Felgenblatt, O.F., Shulb, M.S., & Keling, M.F. (2010) Managing Foreign Workers in Southeast Asian Countries. *Journal for Asia Pacific Studies*, 1(3) p.494.

⁴⁹ Tirtosudarmo, R. (1999) The Indonesian State's Response to Migration. *SOJOURN*,14(1) pp.222-223.

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particular with relation to labour and workers rights took place⁵⁰ along with the change in policy treatments for Indonesian workers.⁵¹ Although Habibie's reformist identity was allowing suppression to halt and supportive changes to be done in relevant government institutions, Suharto's remaining armed forces connection denied to support Habibie. Within the next election his rule drew to a close. The occurrence within Habibie's years symbolizes how Indonesian presidencies proceed in the next periods. Habibie was not in the ruling chair long enough to fashion significant identity change. Despite his reformist ideas, the new liberal democratic discourse in this period was generated more by the rise of civil society and other societal groups that were previously banned.

Abdurrahman Wahid was the next president following Habibie with a reformist idea which yet again was halted by short period of rule, in addition to his inability to fully understand the political consequences of reformation. Wahid maintained social welfare awareness from his institution, Nahdatul Ulama (NU). Discourses in this period revolved around welfare and the increase of welfare for more efficient work, which lead to a policy to increase the wage of civil servants. The formation of identity supportive of migrant workers protection in this period had also progressed with the release of policies that were aimed at ensuring better placement and protection of Indonesian workers.⁵² Arguably institutional works are in place, although during his rule Wahid's approach towards the protection of Indonesian

⁵⁰ In June 1998 the Habibie government ratified eight ILO convention on workers' basic rights, including the ILO Convention No.87, 1946 on "Freedom of Association and the Protection of the Right to Organize." See Rahayu, S.K. & Sumanto, S (2003) *The Practice of Industrial Relations in Indonesia SMERU Working Paper*, accessed through <http://www.smeru.or.id/report/workpaper/practindustrel/practindustrel.pdf>

A month after the handover of power from Suharto to Habibie the entirety of management system within the Indonesian Department of Manpower handling migrant workers "export" was overhauled. In April 1999 the President instructed that a 9 institution wide coordinating body under the Department of Manpower was establish to oversee the recruitment, placement and protection of Indonesian workers. See <http://www.bnptki.go.id/berita-mainmenu-231/berita-foto-mainmenu-31/4054-sejarah-penempatan-tki-hingga-bnptki-.html>

⁵¹ There was gradually more concern to treat migrant workers in the context of "foreign workers" that will closely mean Indonesian who are working in a foreign country and deal with their "placement" rather than the previous term "Indonesian workers service" and their "export." After the change of Presidency the main Directorate within the Indonesian Department of Manpower; the Directorate of Indonesian Labour Export underwent reshuffling and a name change to the Directorate for the Placement of Foreign Workers. <http://www.bnptki.go.id/berita-mainmenu-231/berita-foto-mainmenu-31/4054-sejarah-penempatan-tki-hingga-bnptki-.html>

⁵² During these periods Wahid released decisions that lead to the establishment of the Coordinating Body for the Placement of Indonesian Workers (BKPTKI) through Presidential Decision No.29/1999. In 2001 the Directorate General within the Manpower Department that was originally dealing with the Development and Placement of Indonesian Workers was changed to the Directorate General for the Placement and Protection of Workers Abroad. From the History of Placement of Indonesian Workers in the official history page of the National Body for the Placement and Protection of Indonesian Workers (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia) in <http://www.bnptki.go.id/berita-mainmenu-231/berita-foto-mainmenu-31/4054-sejarah-penempatan-tki-hingga-bnptki-.html> accessed 9 February 2012 18:30 GMT.

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workers was more 'hands on' and individual.⁵³ Although his rule did not last, Wahid's 'politics of inclusion' opened politics to a vast range of societal groups,⁵⁴ allowing discourses on labour welfare to be exchanged widely and a civil supremacy to surface.

Wahid's successor, Megawati's party is the closest form to a democratic labour party in Indonesia, which means institutions under her rule widely accepted pro labour and labour protection ideas. The party (PDI-P, Partai Demokrasi Indonesia Perjuangan or the Struggling Party for the Democracy of Indonesia) has maintained long opposition status during Suharto's New Order, establishing a recognized labour identity that was well aware of the responsibility at stake. Under Megawati's rule the Ministry of Manpower devised a body that until this day play a central role in the placement and protection of Indonesian workers.⁵⁵ Although Megawati's ideas and identity are supportive, the institution of PDI-P was largely divided in identity between liberal democratic and true socialist reformist, disturbing the process of socialisation. In the end, factions of the party separated due to disagreement involving age-old fear of the communism and its relation to labour activism.⁵⁶

The last president, Yudhoyono, arises to power with a celebrated image domestically and internationally. The institution in this period is focused on his Democratic Party (Partai Demokrat) and his discursive campaign of "clean government free from corruption". Although his focus was on structuring anti-corruption mechanisms Yudhoyono was left with migrant

⁵³ Cases of workers abuse were dealt with directly by the government and sometimes even the president. There were instances when Wahid used an annex of his Jakarta home to house abandoned and abused workers that has had to find a difficult way back home. Among workers civil society Wahid was especially popular for this concern and his fight to reorganise the process of recruitment and re-regulate the placement and protection of workers. From "Soal hukuman mati TKI SBY Minta harap contoh Gus Dur" From *Republika*, Monday 20 June 2011, *Koran Republika* also available at <http://www.republika.co.id/berita/nasional/umum/11/06/20>

⁵⁴ Liddle, R.W. (2000) Indonesia in 1999: Democracy Restored. *Asian Survey*, 40(1) A Survey of Asia, pp. 32-38

⁵⁵ Under Megawati's rule a new scheme to regulate the placement and protection of Indonesian workers abroad was developed. This involved a separate and distinct governing body that coordinates the effort of 10 other bodies including the Police, Department of Foreign Affairs, Department of Health, and Department of Manpower. The body will function separately from but under the umbrella of the Department of Manpower and will only focus on the wellbeing of workers during the process of recruitment, education and in placement. This body then becomes BNP2TKI that was only fully established under the rule of the next president, Yudhoyono. See Ford, M. (2005) *Migrant Labour in Southeast Asia, Country Study: Indonesia* Friedrich Ebert Stiftung (FES) Project on Migrant Labor in Southeast Asia. Manila: Friedrich Ebert Stiftung. Also the History of Placement of Indonesian Workers in the official history page of the National Body for the Placement and Protection of Indonesian Workers (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia) in <http://www.bnptki.go.id/berita-mainmenu-231/berita-foto-mainmenu-31/4054-sejarah-penempatan-tki-hingga-bnptki-.html> accessed 9 February 2012 18:30 GMT.

⁵⁶ Hadiz, V.R. (2003) The Indonesian Labour Movement: Resurgent or Constrained? in Daljit Singh and Anthony L. Smith (2003) *Southeast Asian Affair 2002* (pp.138-141) Singapore: Institute for Southeast Asia Studies.

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workers protection institutions that resulted from Megawati's pro labour policies, which consequently brought the establishment of more branches of policies within the bodies created under Megawati's decisions. His discourses are formed to attract people's sympathy and not real changes in policies, As a result his institutions have low confidence on him, driving the government further into regime maintenance. The institution that did blossom during his time is the foreign service who, because its promotion of meritocracy replaces oligarchic New Order style bureaucracy. As a result Indonesia's diplomatic activity has recently increased surrounding the establishment of a regional migrant workers protection policy. Despite this promising development, more remains to be seen.

The Philippines: the power of the people

Marcos' regime utilised their access to power and businesses to benefit their own cliques and personal wealth, as a consequence his policies on migrant workers are focused on gathering larger economic welfare. Although the Labour Code was released in 1974 as a standard regulation to govern the sending of Filipinos as workers abroad, it lacks a degree of protection mechanism that function proactively. The disconnect people's identity that was focused on surviving poverty and Marcos' in regime maintenance did little to help create working socialisation to inform the building of a protective institution. What was "appropriate" at this time was what Marcos government deem as supportive or at a point harmless towards their regime maintenance. As a result the institutions that surfaced during this period included little value that supports the protection of workers' rights. Despite this fact, an important discourse of migrant workers rights remains to be prominent with the support of the Church, a traditional political power under which civil society can blossom.

It was clear that when Aquino's became President the identity of the government was as reformists of social, political and economic relationships of the society through a reformation of the national legal statures. Soon after taking the presidential seat Aquino rewrote the constitution to avoid the resurfacing of a 'new Marcos.'⁵⁷⁵⁸⁵⁹⁶⁰ The institutions within Aquino's

⁵⁷ Eaton, K. (2003) Restoration or Transformation? *Trapos* versus NGOs in the Democratization of the Philippines. *Journal of Asian Studies*, 62(2), pp.474-475.

⁵⁸ A fifty-person commission was appointed to rewrite the new constitution that includes a broad participation of civil society along with members of the traditional political society. See David Wurfel (1988) *Filipino Politics: Development and Decay* (pp.309-310), Ithaca: Cornell University Press.

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administration focused on norms of civil liberties, human rights and social justice that the protection of Filipino workers had become an accepted part of the government policy.⁶¹ The Church has also been a central institution during this time as after Aquino came in power the Church's role and ideas in the society became a part of the government's ideational structure.⁶² What lacking in Aquino's time is appropriate discourses accepted by institutions within the administration. Her political positioning that undermined the role of the military and her background as reformist elite makes the discourses she published into society insufficient in capturing the voices of her people.⁶³ Despite establishment of an Overseas Workers Welfare Administration (OWWA) under her rule, the administration did not fully cater the demands for social justice and social welfare for workers. From years of repression under Marcos role understanding between members of Aquino's administration is lacking, which consequently makes both socialisation process and identity formation difficult to achieve. As what Hutchcroft and Rocamora suggested the problem in Aquino's administration lies in the institutions in her government.⁶⁴ Although her ideas are supportive for the protection of Filipino workers, these identities were not able to be embodied in appropriate institutions.

After Aquino, Ramos' government's discourse evolved around the idea that development and democracy can go hand in hand in support of each other.⁶⁵ This is further embodied within his "Philippines 2000" economic development program which envisions the country joining the Asian Newly Industrialised Countries by the year 2000. To create political

⁵⁹ A limit on the term for legislators was also set to maximum three consecutive terms of three years each for representatives and two terms of six years each for senators. See Eaton, K. *Op.cit.* pp.470.

⁶⁰ A democratic election system was also created to include more representative civil and critical voices in the government. See Hutchcroft, P.D. & Rocamora, J (2003) Strong Demands and Weak Institutions: the Origins and Evolution of the Democratic Deficit in the Philippines. *Journal of East Asian Studies*, 3 p.278.

⁶¹ Corazon Aquino temporarily banned the deployment of domestic workers on January 20 1988 to protect women migrants of the Philippines from being abused and exploited in the countries where they worked. From De Guzman, O. (2010) Overseas Filipino Workers, Labour Circulation in Southeast Asia and the (Mis)Management of Overseas Migration Programs (Review Essay) In http://kyotoreview.cseas.kyoto-u.ac.jp/issue/issue3/article_281.html accessed on 17 March 2010

⁶² After the assassination of her husband, former Senator Benigno Aquino Jr., when he was under the custody of the army and during her public appearances, Corazon Aquino evokes respect and sympathy for her courage. Her continuous religious references were attributed also to the support of the Church towards Aquino during the last days of Marcos' rule. From Youngblood, R.L. (1987) The Corazon Aquino 'Miracle' and the Philippines Churches. *Asian Survey*, 27(12) pp.1240-1255.

⁶³ Her background of a reformist elite family rendered Aquino's administration to not able to satisfactorily understand the suffering voices of the Filipino poor and rural society. Consequently her policies depict this trend. More on the subject can be found on Hawes, G. (1989) Aquino and Her Administration: A View From the Countryside" *Pacific Affairs*, 62(1) pp.9-28.

⁶⁴ Hutchcroft, P.D. & Rocamora, J (2003) *Op.cit.* p. 275.

⁶⁵ *Ibid.* p. 279.

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stability Ramos had equally embraced discourses of poverty elevation, rural development, equal treatment and human rights protection.⁶⁶ The Philippines did achieve elevated economic development under Ramos,⁶⁷ but management on workers migration was largely treated as an 'export' activity with migrant workers identified as a tool to support economic development. This attachment of identity denies workers' societal attributes, providing a view of institution that did not capture the demands of workers protection.

Estrada's rule after Ramos provided an even more grim view of government's institutions. Although he carried a pro-poor discourse,⁶⁸ he holds considerable political debt to Marcos' loyalist, and maintained institutional formation which depicted favouritism to Marcos loyalist.⁶⁹ Identity-wise Estrada projected a celebrated populist image of a 'new Marcos' which despite its initial pro-poor remarks, in the end turned against its civil society and media.⁷⁰ His discourses of "people power" in these times have therefore become populist and aimed more to gain public sympathy. Cronies and cliques ruled Estrada's decision making, making the discourse focused on maintenance of their power and benefit.⁷¹ Under this condition the role of

⁶⁶ Weissman, R. (1994) 'Development' and the Denial of Human Rights in Ramos's Philippines. *Harvard Human Rights Journal*, 7 pp.251-268.

⁶⁷ With his ambitious economic development program, the Philippines' government experienced increase in their export and growth rate. Compared to Aquino's period in power the growth under Ramos increased from 0.5 percent in 1991 to 7 percent in 1997 while exports rate also raised 29 percent in 1995. See Ringuet, D.J. & Estrada, E. (2003) Understanding the Philippines' Economy and Politics since the Return of Democracy in 1986. *Contemporary Southeast Asia*, 25(2) pp. 233-250.

⁶⁸ With this popular power he not only managed to maintain the support of former President Marcos' supporters, businesses who financed his electoral campaign, but importantly he was able to attract the support of the impoverished community. See Lande, C.H. (2001) The Return of the 'People Power' in the Philippines. *Journal of Democracy*, 12(2) pp.88-102.

⁶⁹ As he was coming into power Estrada had rewarded Eduardo Cojuangco and Lucio Tan, major financial supporter of his campaign. To Cojuangco he helped him get back his chairmanship in the San Miguel Corporation that was lost under Aquino. Cojuangco's main aides were also given important positions in the new administration. To Lucio Tan, a tobacco and beer corporate and owner of the Philippine Airlines Estrada gave tax amnesty. Although Tan had been given a 25 Billion pesos charge for tax evasion during Ramos' presidency Estrada maintained him as close follower and allowed him to acquire the Philippines National Bank. From Lande, C.H. *Ibid.* pp.90-100.

⁷⁰ After remarks criticising Estrada's improper sale of public land he filed a suit against *the Manila Times* which subsequently forced the owner to sell the paper to one of Estrada's cronies. The *Philippine Daily Inquirer* was also another paper which Estrada's turned against by getting companies to stop advertising in them and banning their reporters. See Bolongaita, Jr. E. P. (1999) The Philippines in 1999: Balancing Restive Democracy and Recovering Economy. *Asian Survey*, 40(1) A Survey of Asia in 1999 pp.71-72.

More on Estrada's actions to "show who's the Boss" can be seen in Coronel, S. S. (1999) "The New Lords of the Press," *i Magazine* (Manila) 5:3 (July-September 1999)

⁷¹ Critiques were heavy on the way Estrada carried out his decision making, which were done after late night drinking sessions with his cronies. As he was coming into power Estrada had rewarded Eduardo Cojuangco and Lucio Tan, major financial supporter of his campaign. To Cojuangco he helped him get back his chairmanship in the San Miguel Corporation that was lost under Aquino. Cojuangco's main aides were also given important positions in the new administration. To Lucio Tan, a tobacco and beer corporate and owner of the Philippine Airlines Estrada gave tax amnesty. Although Tan had been given a 25 Billion pesos charge for tax evasion during

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societal groups are dominated by those who are close to the president and in demand of their own benefit, dampening discourses and identities of societal groups that support migrant workers protection. Here the focus of institutionalisation has failed to instil pro workers identities, making the development of its policies slow.

With regards to the protection of migrant workers next president Arroyo's identities were clear and were quickly responded 'hands on' by the institution of her administration. Workers and human rights societal groups and civil society was embraced in her cabinet.⁷² This allowed for a more dynamic socialisation which includes representative norms and ideas in the society, making identity formation that is more pro workers accessible. Challenges on the safety of workers occurred during her rule,⁷³ and despite her 'no nonsense' response, the policies in these periods are more reactive than proactive. Although some reforms have been done, similar institutional process still exists, especially in the local governments where the pattern of elite domination remains the same.⁷⁴ Despite the democratic system that Macapagal Arroyo had build, she is still unable to push forward any vote for a policy without support from the local governments.⁷⁵ Development of appropriate identity in this period was also made more difficult when discourse distribution was halted with the large amount of extrajudicial killings of leftist and socialist journalists.⁷⁶

ANALYTICAL FINDINGS

From the experiences of Indonesia and the Philippines several trends are observed by the author. Identities supporting the protection of migrant workers which surfaced in the two countries during the 1999-2009 period did not appear consistent enough or shared equally by government bodies that

Ramos' presidency Estrada maintained him as close follower and allowed him to acquire the Philippines National Bank. See Lande, C.H. (2001) *Op.cit.* pp.88-102.

⁷² From interview with Prof. Nymia Simbulan from PhilRights, an organisation dealing with Human rights of workers. Manila Philippines, 27 March, 2011.

⁷³ Including communist group uprising from the governments Communist Party of the Philippines (CPP) and its armed group New People's Army (NPA) as well as talks with the Moro Islamic Liberation Front. See Coronel, S. S. (2007) the Philippines in 2006: Democracy and its Discontent. *Asian Survey*, 47(1) pp.175-182. See as well cases where Filipino workers were caught by the Abu Sayyaf and struck in Amabalat's mass deportation. See Abenales, P. N. (2010) The Philippines in 2009: the Blustery Days of August. *Asian Survey*, 50(1) pp.218-227.

⁷⁴ Montinola, G. (1999) Parties and Accountabilities in the Philippines. *Journal of Democracy*, 10 (pp.126-140).

⁷⁵ Rogers, S. (2004) Philippines Politics and the Rule of Law. *Journal of Democracy*, 15(4) pp. 115.

⁷⁶ Abenales, P. N. (2010), *OP.cit.* pp.218-227.

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were established throughout the changes of governments. As these identities were not shared equally by presidents of the two countries the development of its institutional component has not been completed. As a result of these trends, the institutions that arise from the administrations did not fully capture the essence of what role was needed from the government in the protection of migrant workers and how they could tackle them. Because appropriate role recognition has not happened satisfactorily institutionalisation cannot occur and a supportive institution for migrant workers protection cannot materialise. This cause the institutionalisation of workers protection norms failing to occur in the two countries, making them unable to consolidate their institutions to push forward for a regional policy framework on migrant workers protection

Conclusion

Migrant workers policy, in particularly at the regional level has not been a priority of the governments of Philippines and Indonesia during the period of research due to disturbances in the creation of relevant identities to support the policy. Inherent societal discourses and identities within the two countries and instable governance had halted the development of identities supporting a coherent protection policy for migrant workers. It is therefore difficult to push the policy forward to the regional level without a solid domestic societal base, and is thus can be a reason why migrant workers protection policy in ASEAN has not moved forward during the 10 years researched

From some of the findings above it was suggested that for a working coherent migrant workers policy to be achieved in the regional level, a solid social consolidation needs to be put in place. A development process that is bottom up and pro-rural and pro poor should be prioritised and protected by the state in the face of a market based economy.

Paper 2

**Deficiency by Design:
The Coalitional Origin of Thailand's Inefficient Bureaucracy**

Veerayooth Kanchoochat

PhD Candidate, University of Cambridge, UK

vk259@cam.ac.uk; veerayooth.k@gmail.com

ABSTRACT

This article examines causes and configurations of Thailand's state formation in the late nineteenth century. Dominant explanations attribute the origin of inefficient bureaucracy in Thailand (known at the time as Siam) either to the lack of external threats (e.g. colonisation that would have generated radical change) or the nature of social norms (e.g. Theravada Buddhism, social hierarchy). Nonetheless, we argue that Siam should be regarded not as an independent, non-colonised state, but as a semi-colonial state functioning as both prey (to western colonisers) and predator (against local territories). It was the struggle between three competing coalitions within the elite circles (Old Siam, Conservative Siam and Young Siam) subject to the semi-colonial contexts that shaped institutional and policy outcomes, among which were the bureaucratic structure. When the Siamese state was dissected into institutional configurations, the "inefficient" components of the bureaucracy (i.e. too centralised, bloated, overlapping departments, corrupt practices and ambiguous law enforcement) were an outcome of calculated political moves and compromises by King Chulalongkorn, the architect of the country's modern bureaucracy. These "inefficient" structures were actually very functional for the King in creating the absolutist state in the 1890s. Our findings carry the implications for the debates over state formation and the theory of institutional change.

KEY WORDS: Thailand, bureaucracy, King Chulalongkorn, semi-colonial, state structure

INTRODUCTION

Leaving aside policy issues, since the mid-1990s, there has been a growing consensus that long-term economic development requires two institutional prerequisites: (1) a capable, coherent bureaucracy; and (2) the close but independent relationship between the bureaucracy and business community (see Evans, 1998). Put in comparative perspective, most Thai specialists consider the country's quality of bureaucracy as falling into the "intermediate" category (e.g. Doner et al., 2005; Slater, 2010).¹ However, despite most Thai studies agreeing on the country's bureaucratic mediocrity, only a few

¹ According to the classification of developmental (e.g. South Korea), intermediate (e.g. Brazil), and predatory (e.g. Nigeria) states proposed by Evans (1995).

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works dig deeper into the explanations for its origin, among which the “systemic vulnerability” argument is perhaps most influential.

Doner et al. (2005) proposes the concept of “systemic vulnerability” as an account for variation in institutional capacities among East and Southeast Asian countries. It contends that political leaders will take institutional capacity-building, necessary for economic development, seriously *only* when they are confronted with three of these variables at the same time: popular pressures, external threats and resource constraints.

Regarding the origin of the Thai bureaucracy, which is the scope of this article, the “systemic vulnerability” argument relies upon conventional wisdom that sees Thailand as a non-colonised country, escaping from the empire through diplomatic tactics: “fortuitous positioning as a buffer between French and British possessions allowed Thai monarchs to preserve national sovereignty through negotiations rather than war” (ibid.:349). As a consequence, there was no severe constraint to press ruling Thai elites to enhance the bureaucratic capacity.

The “official” narrative that regards Thailand, known at the time as Siam,² as a “buffer” state during the colonial era is at best half-truth. As we will show in this article, Siam should be regarded not as a non-colonised state, but as a “semi-colonial” state functioning as both prey (against western colonisers) and predator (against local territories). It was the struggle between three competing coalitions within the elite circles (Old Siam, Conservative Siam and Young Siam) subject to the semi-colonial contexts that shaped institutional and policy outcomes, among which were the bureaucratic structures. When the Siamese state was dissected into institutional configurations, the “inefficient” components of the bureaucracy were an outcome of calculated political moves and compromises by King Chulalongkorn, the architect of the country’s modern bureaucracy.

The discussion is organised into five sections. After providing an overview of the social and economic background, we investigate contextual settings and three competing coalitions during the reign of King Chulalongkorn. The third section examines how the struggle among the three groups shaped the consequential institutional and policy outcomes. In the fourth section, we discuss the major institutional configurations of the Thai bureaucracy designed by the King to serve his new absolutist regime. We conclude the article by discussing the implications for the theory of institutional change.

² The country’s official name was Siam until 23 June 1939.

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I NINETEENTH-CENTURY SIAM

1.1 Tributary Relationships among Kingdoms

In the early nineteenth century, Siam was a small kingdom exercising loose control over a large hinterland through tributary relationships. The Chakri dynasty (1782–present) managed the core kingdom by negotiation with a small group of hereditary noble families. Before the Fifth Reign of King Chulalongkorn, Siam was not a “unified political entity”. The administration of the kingdom was separated between the provinces close to the capital, those further away, the rather independent provinces, and the tributary states. The provinces located close to the capital were administered directly from the capital while the other provinces could manage their own affairs as long as they sent tributes and provided manpower when needed (Evers, 1987:757). In this system, tributes were “a gesture of alliance rather than an indicator of dependence” (Chaiyan, 1994:3). In short, “Siam knew its position as a, not the, supreme overlord in the region” (Thongchai, 2000:533).

1.2 Social Governance inside Siam

Before the modern bureaucracy approximately emerged in 1874, the Siamese administration was segmented across regions rather than functionally differentiated because each minister performed a whole set of state functions (e.g. collected taxes and organised the corvée) independently of other ministries. For example, despite being called the Ministry of Civil Administration (*Mahatthai*), it actually commanded the northern townships and was also known as the Ministry of the North (Chaiyan, 1994:4).³ Moreover, the officials did not receive regular pay but relied on a share of the tax revenue they collected from their area, a practice of self-remuneration known as *kin muang* or “eating the province” (Neher, 1979).

Like other land-abundant, labour-scarce countries, it was the control over manpower that governed the pattern of social organisation in Siam. People were divided into five categories: the monarch, members of the royal family, the nobility, commoners, and slaves. Officials or nobles (*nai*) were directly responsible for control of the three categories of commoners (*phrai*) (see Akin, 1969). The control of manpower was important for various reasons. It provided labour for agricultural activities and for defending the country against invading armies. Moreover, taxes collected from the people were an important source of revenue to the state.

³ Before 1874, there were six ministries under the Siamese monarch: Civil Administration (*Mahatthai*), Military Affairs (*Kalahom*), Metropolis (*Nakhonban, Wiang*), the Palace (*Wang*), Finance (*Phraklang*), and Lands (*Na*).

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1.3 The Bowring Treaty

The watershed of Siam's political economy began when the Bowring Treaty was signed in 1855 by Siam (under King Rama IV) and Great Britain. Under this treaty, Siamese authority was limited in three ways: (1) the ability of the state to tax land, (2) the right of the state to decide who could own land, and (3) the jurisdiction of the Siamese government over British subjects in Siam (extra-territorial jurisdiction). Taxation in Siam was radically changed thereafter. That is, from this point Siamese import taxes were levied at a flat rate of 3 per cent on the market value of the imported goods. The export and inland duties of all major export products were also fixed (Larsson, 2008:8).

Externally, the Bowring Treaty granted the British wide commercial privileges in the kingdom. All previous measurement duties were abolished. Internally, while the Siamese royal trade monopoly on almost all commodities was ended, the economic power of the great nobles, in particular the Bunnags, grew stronger after the Bowring Treaty because tax farms were meted out to other departments controlled by the great nobles. As a result, the Bowring Treaty led to a political reorientation because it was the great nobles, not the monarchy, who benefited the most from the economic expansion after the Treaty (Kullada, 2004:34; Evers, 1987:768).

II ELITE POLITICS WITHIN SEMI-COLONIAL CONTEXTS

This section illustrates the contextual setting of Chulalongkorn's reign. First and foremost, we need to depart from the conventional wisdom that sees Thailand as a 700-year, non-colonial history of the stable absolute monarchy. Siam had witnessed the ebb and flow of royal power whereby "the expression 'the relatively ineffective monarchical power' is far more correct than...the absolute monarchy" (Chaiyan, 1994:6). The Gordian knot of Siam in the late nineteenth century was twofold, that is, the status of the monarch vis-à-vis great nobles and the dual role of Siam as both prey and predator, or what may be called a "semi-colony." Conditioned by these contexts, competition, coordination and compromise among elites shaped the consequential state formation.

2.1 Monarchs vis-à-vis Great Nobles

The Siamese monarchy before the twentieth century rarely had full power and political stability in their reigns. When King Rama IV died of a jungle fever, the question of succession was unsettled and he had followed King Rama III's practice of asking the great nobles to choose their own candidate. King Rama V or Chulalongkorn (1868–1910), the architect of Thailand's modern bureaucracy, ascended the throne when he was aged 15 and had little power vis-à-vis the great families and mandarins, throughout the regency period (1868–73).

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2.2 Siam as Prey to Western Imperialism

As conventionally understood, Siam fell prey to western colonisers. The provisions of the Bowring Treaty of 1855 limited the state's right to determine its import and export duties and the conceding of extraterritorial rights to the subjects of the Treaty power (extraterritoriality). In short, Siam was semi-colonised in the sense that, whilst it was not fully submissive to an imperial authority, it was also not fully in control of its own territory (Lysa, 2004). This situation adversely affected King Chulalongkorn as much as it did the nobles. Thus, the modernisation of Siam's administrative system was partly driven by the effort to obtain the revocation of these two clauses and regain full sovereignty.

2.3 Siam as Predator against Local Territories

The complication was that, despite falling prey to the West, Siam was at the same time a predatory state in relation to local territories in mainland Southeast Asia. Before the efforts of the King's administration to centralise provincial administration, local nobility and village leaders were responsible for law and order in their areas. There were no such concepts as "national boundary" or "national sovereignty" among Southeast Asians in the late nineteenth century. The technology of creating a map, hence a clear boundary between nation states, was less meaningful until the western concept of nation-state arrived. Using western ideas, Siam then acted as a "sub-imperialist power," pre-empting European imperial expansion by using military force to occupy territories, particularly those that may be claimed by the French in Indochina (Thongchai, 1994). The need to occupy and thus control formerly tributary territories also spurred military reforms and the centralised structure to subsume diverse populations into a nation state.

2.4 The Three Competing Coalitions within Elite Circles

In the reign of King Chulalongkorn, there were three major groups of elites, that is, Old Siam, Conservative Siam and Young Siam. This political divide existed partly because of the former monarchies' political strategy who employed the divide-and-rule policy by separating the control over manpower and trade (Kullada, 2004:23-4). Table 1 summarises the characters and sources of power of the three groups.

Table 1. Competing coalitions before the 1874 reform

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Groups	Members	Major Sources of Power	Ambitions
Old Siam	The majority of the noble families (official class) led by the Front Palace	Manpower (control of commoners and slaves)	Maintaining labour control and preserving traditional order and etiquette
Conservative Siam	A small group of great nobles led by Chuang Bunnag (the regent) ^a and the Bunnag clan	International trade and land tax	Expanding rice production to serve increasing global demands
Young Siam	King Chulalongkorn and his loyalists	Treasury derived from tax farming	To concentrate wealth and power in the hands of the monarch and to modernise the country in the western way

Source: The author's conclusion based on Kullada (2004:Chapter Two) and Wyatt (1969:Chapter Two).

Notes: Apart from the self-named 'Young Siam', the other two groups' names were dubbed by the scholars.

(a) Chuang Bunnag was titled *Somdet Chaophraya Suriyawong* when serving as the regent.

Old Siam

Old Siam was comprised of the majority of noble families. They perceived their interests as maintaining manpower and preferred the traditional order and etiquette, e.g. the *nai-phrai* system and the practice of prostration of the commoners in front of the nobles. The group's leader was the Front Palace (*Wang Na*) – referred to by the foreign community as the “Second King” – who controlled the resources sufficiently to challenge the king whenever necessary. The Front Palace was considered as the second most important figure after the monarch. The Bowring Treaty was signed by both the King and the Front Palace. King Chulalongkorn dubbed this group “ancient heads” (Wyatt, 1969:48).

Conservative Siam

Conservative Siam was mainly the Bunnag family, of Persian descent. Chuang Bunnag (*Suriyawong*) was the leader and served as regent before Chulalongkorn came of age. The Bunnags took control of the Ministry of Military Affairs (*Kalahom*) from 1782 to 1886 and the Ministry of Finance (*Phrakhleng*) from 1822 to 1885 (the modern bureaucratic reform took place in 1874) (Wyatt, 1969:218).

The Bunnags reached the top of the pecking order during the regency of Chuang Bunnag (1868–73) when Chulalongkorn was treated as a “puppet king” (Wyatt, 1969:42). They were powerful enough to

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hand over a constant, misappropriate revenue to the monarch's treasury, irrespective of the expansion of the tax base. The Bunnags were in a very good position to reap the benefits from the increase in trade after the Bowring Treaty, so they preferred the labour force, mostly controlled by Old Siam, to be freed in order to become fully fledged rice producers for the world markets (Kullada, 2004:45-7). In terms of ideology, the Bunnags viewed western ideas and techniques as means to ends that were still firmly determined in a traditional Thai context (Wyatt, 1969:47).

Young Siam

Young Siam consisted of King Chulalongkorn and his supporters (his half-brothers, followers and fellow westerners). Most of the members were the "second Westernised generation" who had at least partially western educations. Some members of Young Siam even preferred constitutional monarchy to absolute monarchy (Wyatt, 1982:199). This group's strength lay in its educated skills and intellectual convictions, but lacked a secure political base in the executive offices of government (Wyatt, 1969:44-5).

The group had some valuable foreign allies who considerably raised the group's stature among the western community in Siam and gave full support to its reform efforts. The King often sent the representative of the British Government a signal that he and Young Siam were the only agents of future reforms that would suit British interests (Kullada, 2004:49-50). In line with Conservative Siam, albeit for differing reasons, they were interested in freeing the labour force because they wanted to see the state develop more efficient controls over manpower. However, the Conservative and Young Siam were divided by their interests over the state revenue and administrative power.

III COALITIONAL STRUGGLES AND OUTCOMES

King Chulalongkorn's efforts at state reform had two principal goals: "The first was to strengthen his immediate position against the power of the noble class and the great families; the second was to permanently strengthen the central state and royal power" (Kullada, 2004: 51). In doing so, the King needed to coalesce, compete and compromise with other groups including his followers inside Young Siam. The institutional and policy outcomes as a consequence of elite alignments are summarised in Table 2.

3.1 Fiscal Reform and the Council of State

The King's first step towards building an absolutist state was to initiate a fiscal reform. Before 1870, about eighteen different treasuries shared in the collection of tax farms (Wilson, 1970:632). In the

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early 1870s, first, a Finance Office was established initially to oversee the revenue and expenditure of the tax farms, and later to centralise all state revenues under royal control. Those nobles who supervised tax farms were rewarded with 5 per cent of the tax revenues, signalling that a noble could enhance his own economic position if he supported the King's further reforms. Secondly, borrowing the idea from the French *Conseil d'État*, the Council of State, consisting of 12 nobles, was set up. Its formal function was deliberately ambiguous as a committee to help the King introduce reforms. In fact, it was meant to be a legislative and administrative vehicle by which the King would later establish an absolutist state (Kullada, 2004).

Table 2. Coalitional struggles and consequential outcomes

Coalitional Struggles (winners vs losers)	Institutional and Policy Outcomes
King and Bunnags vs Old Siam	Ending labour controls → then recruited most of free labour to newly established bureaucracy → bloated bureaucratic structure
King vs Bunnags and Old Siam	Fiscal consolidation under the monarch
King vs Noble Classes	Divide-and-rule strategy → retained and furthered the overlapping structure in bureaucracy
Siam vs Local Territories	Centralised bureaucratic structure under Ministry of Interior Superimposing , not displacing, local governance → bloated Bloated → insufficient budget to pay → turn a blind eye to existing "corrupt" practice of local officials
Siam vs Colonial Powers	Ambiguous law enforcement and no land reform

Sources: The author's interpretation based on Kullada (2004), Thongchai (1994), Larsson (2008), and Pasuk and Baker (2002).

Notes: (1) King = King Chulalongkorn and Young Siam
(2) Bunnags = the leaders of Conservative Siam
(3) Siam = Siamese elites, which include all three groups
(4) Colonial powers = British and French empires

3.2 Manpower Reform

The King reformed the manpower system by (1) announcing the abolition of hereditary slavery, and (2) severely restricting the conditions under which the nobility could hold debt bond-servants (Wyatt, 1994:281). The abolition of slavery was crucial in regaining sovereignty. The abrogation of extraterritoriality required Siam to adopt criminal and civil codes acceptable to the western powers. Slavery was one of the requisites in the eyes of the British, as well as the missionaries inside Siam

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(Feeney, 1989). In addition, ending labour controls was to increase the availability of labour for the market economy, especially the growing demand for rice. The Bunnags strongly supported the manpower reform but the losers would be the Old Siam whose major power base was labour control.

3.3 The Absolutist State as a Hard-won Glory

Undoubtedly, the reform attempts faced resistances from the nobles, the most serious of which stemmed from Old Siam in the bloodshed called the "Front Palace Crisis" taking place between December 1874 and February 1875. The Front Palace forced the King to abolish the council and other reforms that would decrease his power. The country "seemed to be on the brink of civil war and there was much support for [the Front Palace] among the Bangkok nobility, who had been offended by the king's radical friends" (Wyatt, 1982:193). The King eventually needed to seek assistance from Sir Andrew Clarke, the British Governor in Singapore, who saw Young Siam as the most attentive agent of reforms suiting British interests.

The intervention of Sir Andrew marked King Chulalongkorn's superior position in relation to the other two groups of nobles (see Xie, 1988). Old Siam lost its leader after the crisis. The members of Conservative Siam were convicted of corruption but they were still defiant until the intervention of Sir Andrew. From 1886 all revenues, especially tax receipts, were remitted to the newly established Finance Office or the Royal Treasury (Chaiyan, 1994:88). The year 1892 further marked the terminal decline of Old Siam and Conservative Siam when the King replaced the Council of Ministers with the cabinet system, whereby "almost all the ministries were headed by the King's young brothers" (Wyatt, 1968:223). At the beginning of the twentieth century, the King controlled as large as one-sixth of the nation's annual income (Terwiel, 1983:275).

IV BUREAUCRATIC CONFIGURATIONS

Rather than considering the state as a unified entity, our study treats the state as an institutional configuration formed by interactions among political actors. In this section, we investigate five institutional characteristics of the Thai bureaucracy as a result of King Chulalongkorn's design, subject to the contextual settings previously discussed.

4.1 Centralised

First and foremost, the bureaucracy was designed to be centralised to consolidate the power base in the King's hands and at the same time to undercut the income and authority of the great nobles (Baker and Pasuk, 2005:53). Modelled on colonised states in mainland Southeast Asia, King Chulalongkorn undertook internal administrative reforms by adopting a western land code and claiming ownership of

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all previously unoccupied land during the last decade of the nineteenth century. The attempt at centralising power was the result of change in the underlying “conceptions of space and territorial sovereignty that took place through the latter half of the nineteenth century, as well as pressure from England and France” (Vandergeest and Peluso, 1995:396). In other words, Siamese elites modelled the territorial administration on that of nearby colonies. The institution of the village head was similar to the British system in India and the Dutch in the Netherlands East Indies (today Indonesia), while the highly centralised provincial and district administration is similar to that of the French colonies of Indochina (ibid.:398-9).

The Ministry of Interior (MOI) was also designed to function as the incubator of a series of newly established departments. Other ministries “were attached to and administratively subordinate to” the MOI (Siffin, 1966). For example, the officials in other ministries “had to go through the territorial administrators to communicate with their own headquarters” (Riggs, 1966:119). Between 1899 and 1902 new regulations were imposed on the provinces that would increase the MOI’s “control over every level and sphere of administration” (Tej, 1977:263).

4.2 Bloated

The second configuration by design was the bloated structure. As Kullada (2004: 93) asserts: “If absolutism was to endure, it must widen its span of control over all aspects of national life. This demanded the participation of increased numbers of bureaucrats.”

The Thai bureaucracy became bloated over time not only because the King set out to convert people previously under noble control to royal service but also because the creation of new functions in new organisations was to *superimpose*, without abolishing, the existing provincial administration, which was dominated by the region’s ruling families (Wyatt, 1982:220). For example, by 1914, the MOI appointed 3,000 officials from Bangkok to the provinces but still kept old local officials in place without clear responsibility (Baker and Pasuk, 2009:56). Theoretically speaking, this institutional change was in the form of layering, rather than displacing, the old functions. Accordingly, it demanded greater numbers of bureaucrats than would otherwise. In addition to the MOI, the armed force was another ambitious project. In the late 1900s, the King recruited 20,000 personnel to the army, 5,000 to the navy, and 50,000 in the combined reserves, raising the military expenditures from Bt1 million in 1898 to Bt13 million in 1910 (Baker and Pasuk, 2005:62).

In total, the number of salaried officials grew steeply from 12,000 in 1890 to about 80,000 in 1919, accounting for around 8.8 per 1,000 of the population. When put in comparative perspective, in the early twentieth century Thailand became “probably the most bureaucratized country in Southeast Asia

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at that time in terms of number of civil servants..., higher than in the German Reich that had enticed Max Weber at that time to propose his theory of bureaucratisation and the Beamtenstaat, the bureaucratic state” (Evers, 1987:670).

4.3 Overlapping

The third configuration was the design to make the bureaucratic authority among different departments overlap with one another. Apart from territorial and financial consolidation, King Chulalongkorn did not pay attention to the long-overdue reform of the overlapping structure of state apparatus. As previously stated, the administration before his reign was segmented across regions rather than functionally differentiated. Each minister performed a whole set of state functions independently of the other ministries. Without a thorough overhaul, these overlapping functions would hardly change. However, the King modified only the bureaucratic forms, not the functions.

The reasons were twofold. First, the King sought to avoid further conflict with great nobles who controlled parts of the existing bureaucracy, because he had already faced much resistance from them. Second, the overlapping functions benefited none but the King by diminishing the nobles' power to challenge the throne. In other words, this overlapping structure strengthens the power of the head of state, not the minister or middle-ranked officials. Indeed, such a structure was long evident in Siam. Throughout its history, the kings have maintained power by dividing up the machinery of the state into little pieces that are fairly independent of one another, so that they cannot easily challenge royal power (Nidhi 2003). As a result, while the necessary functions for building the absolutist state were consolidated under the King within the newly established ministries, other activities (e.g. agriculture and commerce, economic affairs) involving matters of interest to members of the royal family and the nobility were intentionally kept overlapping and “continued to be handled by established courts, *modified largely in matters of form*” (Riggs, 1966: 118, emphasis added).

4.4 Corrupt Practices

The new bureaucracy had an inbuilt tendency for “corruption” right from the beginning. The old practice of self-remuneration among officials was allowed to continue because the palace traded off the conviction for the loyalty of the bureaucracy. Before the Fifth Reign, local officials did not receive a fixed salary but relied on the practice of *kin muang* (literally, “eat the town”), that is, taking a commission from the revenues (usually up to one-third) they collected from local people before transferring them to the palace. Actually, there was nothing wrong with this routine operation in the eyes of the nineteenth-century bureaucrats. King Chulalongkorn simply turned a blind eye to it to attract more people to the bureaucracy. “The availability of *kin muang* revenue meant bureaucratic

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jobs were attractive even at low official salary levels, which tempted the government to economise on its salary budget and hence institutionalise the whole practice of self-remuneration” (Pasuk and Baker 2002:253).

4.5 Ambiguous Law Enforcement

In late nineteenth-century Siam, property rights policy was used not as a tool to boost security in land ownership and promote investment and productivity, but as a means to weaken the treaty-based rights of westerners.

As demonstrated by Larsson (2008), there were at least two reasons why the Siamese state underinvested in the provision of modern property rights. First, the Bowring Treaty fixed the export and inland duties of all major Siamese export products. Second, if land ownership rights had been effectively enforced, it would have encouraged the capital-rich West to acquire more prime agricultural land. As a consequence, Siamese rulers were unwilling to develop effective institutions, such as clearly defined property rights and legal–bureaucratic enforcement mechanisms. In short, land law was intentionally used to “raise rather than reduce transaction costs, to obstruct rather than facilitate the commodification of land, and to promote Siamese interests in the diplomatic negotiations that eventually led to the abolition of extraterritoriality and the abrogation of the unequal treaties” (Larsson, 2008: 17).

This strategy came at the expense of declining productivity in agriculture but the benefits outweighed the cost in the eyes of the Siamese elites. The first success towards the abolition of extraterritoriality was achieved in 1883 when the jurisdiction of international courts over British subjects was recognised in certain provinces, subject to the right of evocation. In 1909 the jurisdiction of these courts was extended over British nationals in all parts of Siam (Lysa, 2004).

V. CONCLUDING DISCUSSION

All of the bureaucratic reforms were implemented gradually and strategically. The Thai bureaucracy was designed by King Chulalongkorn to be centralised, overlapping and bloated while corrupt practice was condoned and law enforcement ambiguous. Through a hard-won battle, King Chulalongkorn’s ultimate goals were accomplished: raising his power over the nobles and fighting against western colonies to control local territories. The absolutist state was present when King Chulalongkorn passed away in 1910 in the forty-second year of his reign. Most of the structures we discussed have lasted until now and adversely affected the economic development of Thailand as Wyatt (1994:285) notes, “Except for subsequent changes in technology and the role of the crown

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itself, there is little in the Thailand of the 1970s that was not present at least in formal structure and some reality by 1910.”

Put into theoretical perspective, underlying the differences between our argument here and that of “systemic vulnerability” are the lenses through which we use for studying institutional change. Two points are worth discussing in brief here (see a detailed discussion in Veerayooth forthcoming).

First of all, the “systemic vulnerability” argument sees institutions as maintaining their functions until sufficient vulnerabilities (either threats or pressures) occur and bring about radical change. The hidden assumption behind this is a model of *discontinuous institutional change*, drawing a sharp line between the periods of institutional continuity and that of change. In other words, “institutional change happens only when *ceteris* is no longer *paribus*, that is, when shocks exogenous to the system of institutions alter the context. Institutional change becomes a response to shocks” (Hall, 2010:205). The over-emphasis on external shocks or vulnerabilities as the main driving forces of change and the under-emphasis on endogenous sources of change is misleading in several ways. Even if we assume away definitional problems of shocks (what are “shocks” and what are not), it should not be assumed that great shocks always cause dramatic change. Crises and uncertainty might be seen to encourage actors to reorient their interests, hence institutional change (Blyth, 2002). However, institutional arrangements can turn out to be even more resilient in the face of exogenous shocks because actors prefer to avoid risks and thus adhere to the prevailing conditions. In response to these theoretical problems, the recent literature argues that institutional continuity seems to be just the tip of the iceberg of continuous changing political–economic dynamics beneath the stable surface. Gradual processes of institutional development deserve careful investigation (e.g. Mahoney and Thelen, 2010).

Second, underlying the “systemic vulnerability” argument is the *rational-choice assumption on human behaviours* maintaining that human actions (political leaders) will follow the structurally determined conditions (three sets of constraints). Notwithstanding its explanatory power, rational-choice institutionalism contains serious limitations. Above all else, it ignores a much more complex set of human motivations and hence failure to recognise the interaction of interests, institutions, and ideas in a real-world context. In other words, what a “rational” actor will choose is predetermined by the structure, and therefore there is no “real” human agency and “meaningful choice” in this view (Chang, 2007:8-9). Actually, this is part of the longstanding debate about the role of structure vis-à-vis human agency. The problem is hardly resolved but can be alleviated by accepting a two-way causation between individual motivation and social institutions, even though – as an institutionalist – we may recognise the “temporal” priority of structure (see Hodgson, 2004). As exemplified in this article, King Chulalongkorn acceded to the throne as a “puppet king” with power inferior to that of his

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nobles but eventually became the absolute monarch at the end of his reign. Because of the causal complexity of institutional change, we cannot reliably infer the causes of institutional origins from their current functions. Instead, institutional analysts should go back and carefully examine the moments of institutional emergence as well as gradual processes of institutional change over time.

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Paper 3

**Imagining Language: The Shifting Position of Prestige Chinese Dialects
Occupy in Singapore***

Deborah Cheong

(Postgraduate/University of Oxford)

deborah.cheong@sant.ox.ac.uk

Abstract

Singapore, at once a multi-racial, multi-religious and multi-lingual society, has always concerned herself with language planning. Besides promoting English as a neutral lingua franca to unite the different races, the Singaporean government has advocated the reduction of Chinese dialect usage to coalesce the various Chinese dialect groups. The oft-made argument for this was that a divided Chinese community would be detrimental not only to the survival of the Singaporean-Chinese population, but would also endanger the viability of a sovereign Singapore nation. Efforts to eradicate the use of Chinese dialects, helped by the stigma associated with their use and reinforced by social stratification, have thus far been successful in achieving this goal. Since these methods have been couched within the framework of the larger goal of achieving a united and harmonious Singapore, language is repeatedly made a repository of culture but yet has never been divorced from the nation-state. In this paper, I consider the imaginary of language as culture and identity by examining the process of language shift away from Chinese dialects in Singapore. Using case-studies and socio-linguistic surveys, I ask what the dominant causes behind variation in Chinese dialect use are and discuss the policy implications of such language shift patterns. I argue that the changing attitudes toward Chinese dialects, whether at the global or local level, affect the individual's and the government's linguistic choice patterns, influencing the imaginary of language and thus informing and participating in the process, together or otherwise, of imagining culture and identity in Singapore.

****Work in progress- please email author for more information.***