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Amit Pandya Ellen Laipson
Editors

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The Henry L. Stimson Center
1111 19th Street, NW, 12th Floor
Washington, DC 20036
Telephone: 202-223-5956
Fax: 202-238-9604
www.stimson.org



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NONTRADITIONAL SECURITY, REGIONALISM, AND THE STATE IN SOUTHEAST ASIA

Mely Caballero-Anthony

Over the last decade, the regional security status in Southeast Asia has changed dramatically. While the risks of interstate conflict are now low, the region is increasingly confronted with new security challenges emerging from a host of transnational threats. There is growing recognition that these emerging nontraditional security (NTS) challenges are more severe and more likely to inflict harm on a greater number of people than conventional threats of interstate wars and conflicts. As a consequence, policy makers in the region have had to rethink their security agendas and find innovative ways to address these new security challenges. These challenges have also had profound implications for security cooperation among states in the region.

COMPREHENSIVE SECURITY, HUMAN SECURITY, AND NONTRADITIONAL SECURITY: DRAWING LINKAGES AND COMMONALITIES

A trend that has been observed by a number of security scholars in Asia is the growing tendency to highlight and designate any security concern that is nonmilitary in nature as nontraditional security, or NTS.¹ In Southeast Asia, environmental degradation, outbreaks of epidemiological diseases, transnational crimes, illegal migration, and other concerns have been classified as nontraditional security threats that plague the region. The attachment of the security label to these concerns/threats has been a significant development. It is significant in that “security framing” is deemed to be an effective way to bring attention to these concerns/threats to convey urgency, and to command governmental resources to address them. The question, however, is how NTS has fit into the evolving concept of security in Southeast Asia and the wider Asian region.

Within the Association of Southeast Asian Nations (ASEAN), *comprehensive security* was, for a long time, considered the “reorganized security concept” that structured the understanding among the political elites about what security meant for the region.² As noted by an Asian security scholar, Muthiah Alagappa, regardless of the labels and the varied interpretations that came with the term, comprehensive security implied security that “goes beyond (but does not exclude) the military to embrace the political, economic and socio-cultural dimensions.”³

However, the concept of comprehensive security came under strong criticism particularly in the aftermath of the financial crisis that hit the Asian region in 1997–1998. During that period, the emphasis on state security as the main security referent was increasingly challenged as the plight of vulnerable groups and societies that had suffered as a consequence of the economic crisis was exposed. The debate on the reconceptualization of security has therefore gone beyond the general expansion of the concept to promoting *human security* as a possible framework to replace the conventional state-centric approach. Essentially, Asian analysts of human security have joined their counterparts outside the region in calling for a reorientation of the security referent, moving it away from the state to focus instead on the security of individuals, societies, and groups, and for expanding the scope of security to reflect the chronic and complex insecurities commonly faced by individuals and societies.⁴

Against this background, where would the concept of NTS fit? One could suggest that if comprehensive security is the expanded notion of security beyond military security, then NTS can be viewed as a subset of comprehensive security that characteristically requires nonmilitary responses to address a number of emerging security threats. NTS can also be considered as a broader umbrella that covers issues of human security, since its security referent extends beyond the state to include individuals and societies.

What kinds of concerns/threats fall under NTS? Despite the emerging trend toward security framing, there is yet to be a consensus on what NTS really means, since the issues that would fall under NTS are often contextually defined. For example, what may be NTS issues in one country, such as economic security, food security, and energy security, could already be part of the traditional concept of security in another. As one scholar has pointed out, energy security, which is now included in the rubric of NTS across Asia, has long been one of Japan's traditional security issues.⁵

To help in the conceptualization of NTS, the newly established Consortium of Non-Traditional Security Studies in Asia has defined NTS issues as those that challenge the survival and well-being of peoples and states and that arise primarily out of nonmilitary sources, such as climate change, resource scarcity, infectious diseases, natural disasters, irregular migration, famine, people smuggling, drug trafficking, and transnational crime. Aside from being nonmilitary in nature, these share other common characteristics: they are transnational in scope (neither purely domestic nor purely interstate); they arise at very short notice and are transmitted rapidly owing to globalization and the communication revolution; they cannot be prevented entirely, but coping mechanisms can be devised; national solutions are often inadequate, and thus regional and multilateral cooperation is essential; and finally, the object of security is no longer just the state (state sovereignty or territorial integrity) but also the people (their survival, well-being, and dignity), at both individual and societal levels.⁶

As many of us have witnessed, these NTS challenges have direct implications for overall security in Asia and for the well-being of individual states and societies.

The gravity of the problem is indicated in the way transnational challenges are increasingly discussed not only in academic circles but also among policy makers. These issues are now portrayed and treated by officials as posing threats to the national sovereignty and territorial integrity of states, as well as to the well-being of their respective societies. Yet it is undeniable that the spread and impact of NTS threats have been amplified by the accelerating effects of globalization.

NONTRADITIONAL SECURITY CHALLENGES AND REGIONALISM IN SOUTHEAST ASIA: DOES STATE CAPACITY MATTER?

Within the last decade, the Asian region in general and Southeast Asia in particular have had to confront a series of major nontraditional security challenges. From natural disasters afflicting parts of the region with increasing frequency to the looming threat of pandemics, it has become increasingly clear that nonmilitary threats to the security of states and societies must be addressed urgently and comprehensively.

With the increase in NTS threats, the impetus for effective regionalism has become more urgent. Nowhere is this more apparent than in the current efforts to strengthen cooperation and deepen integration in Southeast Asia through existing regional frameworks, including ASEAN (e.g., ASEAN Security Community initiative), ASEAN Plus Three (e.g., Chiang Mai initiative), and, more recently, the East Asia Summit with its agenda on fighting pandemics and achieving energy security. It is important to note that many of the current regional initiatives addressing NTS threats are driven by the broader objectives of building capacity and achieving coherence in efforts to address emerging security challenges, particularly in the face of limited capacity at the state level. As the experience in the region has revealed, many of the states in Southeast Asia are ill-equipped to deal with emerging NTS challenges.

Thus, as states and societies in Southeast Asia work closely together in dealing with transnational security challenges through regional initiatives, we need to understand the problems at the state level, as this can significantly impact the effectiveness of regional efforts. In other words, in assessing regional efforts in addressing NTS, state capacity matters.

While addressing transnational challenges clearly requires regional and multisectoral approaches, it is important to pay more attention to the role of the state, which remains a critical actor in responding to most NTS threats. In this regard, it is useful to reiterate Theda Skocpol's argument from the 1980s that despite the increasingly borderless world, one needs to "bring the state back in" in the face of the difficult circumstances brought on by the changes in the global environment.⁷

Why Bring the State Back In?

A good starting point for discussing the role of the state in addressing transnational threats is to ask who the principal provider of human and state security is. In a number of works on human security, analysts have argued that the state bears

the main responsibility for guaranteeing the security of its citizens. At least three explanations are cited here. First is the fact that state security and individual security are interrelated. Kanti Bajpai, for instance, has argued that the security of the individual depends on, among other things, the security of the state.⁸ If the state fails to maintain a minimum security, the security of all individuals within its boundaries is threatened. Second, the attainment of human security for the many social groups requires that the state produce coherent policies in sectors such as employment, education, health, and social security.⁹ Third, the fact that human security falls under the category of public goods requires the state's action to ensure that every citizen receives them.¹⁰

These facts make it clear that, for the state to be able to provide security, it must have the capacity to do so. In many developing countries in Asia, however, the state has failed to carry out its main duty of providing security to the people because of a number of factors, including resource constraints, bureaucratic deadlock, weak governance, and ongoing political instability. All of these factors act to reduce the state's capacity to provide human security to its citizens.

This brings us to the analysis of state capacity in Southeast Asia. There are many ways of defining *state capacity*. One definition says that it is the ability of the state to enforce rules and norms governing relations within society. This ability depends on its institutions, the nature of its structural frameworks, the roles of the relevant actors, and so forth.

An interesting study on environmental scarcities, state capacity, and civil violence was conducted at the University of Toronto in 1997 and provides some useful insights.¹¹ In this work, state capacity has been defined as a function of a number of variables, categorized broadly into two sets.

Intrinsic Characteristics of the State

- *Human capital.* The technical and managerial skill level of individuals within the state and its components.
- *Instrumental rationality.* The ability of the state and its components to gather and evaluate information relevant to their interests and to make reasoned decisions maximizing their utility. (Note that *utility* may be locally defined; that is, it may reflect the narrow interests of the component and not the broader interests of the state or society.)
- *Coherence.* The degree to which the state's components agree and act on shared ideological bases, objectives, and methods, as well as the ability of these components to communicate and constructively debate ideas, information, and policies among themselves.
- *Resilience.* The state's capacity to absorb sudden shocks, to adapt to longer-term changes in socioeconomic conditions, and to resolve societal disputes without catastrophic breakdown.

State-Societal Relations

- *Autonomy*. The extent to which the state can act independently of external forces, both domestic and international, and co-opt those that would alter or constrain its actions.
- *Fiscal resources*. The financial capacity of the state or of its components, which is a function of both current and reasonably feasible revenue streams, as well as demands on that revenue.
- *Reach and responsiveness*. The degree to which the state is successful in extending its ideology, sociopolitical structures, and administrative apparatus throughout society (both geographically and into the socioeconomic structures of civil society), as well as the responsiveness of these structures and apparatus to the local needs of the society.
- *Legitimacy*. The strength of the state's moral authority—the extent to which the populace obeys the state's commands out of a sense of allegiance and duty, rather than as a result of coercion or economic initiative.

KEY NTS CHALLENGES IN SOUTHEAST ASIA

Some NTS challenges in Southeast Asia that have significant coverage in local and international news are natural disasters, pandemics, and environmental degradation. Responses to these three challenges are cross-cutting issues that require a comprehensive and multisectoral approach and would benefit from regular studies and assessments of state capacity.

Coping with Natural Disasters

Asia is a region where major natural disasters often occur. The massive earthquake and tsunami in December 2004 was just one example of the many tragedies of this type that the region has had to cope with. Whenever such disasters occur, the region is faced with the grim tasks of undertaking disaster relief operations, providing humanitarian assistance, and instigating post-disaster reconstruction and development. Natural disasters generate complex emergencies that require rapid and coordinated responses from a broad range of state and nonstate actors.

Unfortunately, many states in Southeast Asia are not prepared to cope with these complex humanitarian emergencies. This gap was vividly illustrated by the region's 2004 tsunami experience, where, without the assistance provided by other states in ASEAN, by Western countries, and by international aid agencies, the humanitarian emergency in Bandar Aceh, Indonesia could have been far more devastating. This disaster triggered an unprecedented outpouring of humanitarian assistance, as the international community came together to lend support to the disaster-stricken countries. The responses from both the regional and the international communities were indeed exceptional, and perhaps this was one of the very

few natural disasters in history where support from around the globe was immediately mobilized to reach out to the victims.

Now, several years later, are the states of Southeast Asia doing enough to protect the human security of its people? Within ASEAN, member countries agreed in 2005 to enhance cooperation with regard to emergency relief, rehabilitation and reconstruction, prevention, and mitigation.¹² In the area of emergency relief, ASEAN members agreed to mobilize additional resources to meet the relief needs of tsunami victims and called upon the international community to convene, through the United Nations, an international pledging conference for sustainable humanitarian relief efforts. They requested for consideration the establishment of a “standby arrangement” for immediate humanitarian relief efforts.

While these initiatives are indicative of the significant impact the tsunami experience had on regional cooperation, making countries in Southeast Asia more aware of disaster preparedness and management, one can still question the extent to which a shift in thinking has really occurred and ask what else needs to be done. In this regard, one could argue that the affected states need to do more in the areas of prevention and mitigation.

Combating Threats of Infectious Diseases

Since the Asia-wide outbreak of the SARS virus in 2003, threats from infectious diseases appear to have become more severe. As the SARS experience showed, in this era of globalization and regionalization, infectious diseases have the capacity to detrimentally affect the security and well-being of all members of society and all aspects of the economy. This point was highlighted in the report “Global Risks 2006,” released by the World Economic Forum (WEF) in Davos, Switzerland. The report ranked pandemics and natural disasters among the highest in a list of risks currently confronting the international community. It also concluded that despite the potential for devastation due to the interplay of these multiple global risks and their combined ripple effects, “disaster planning and crisis management suffer from a number of shortcomings.” Among these are limited investments of resources in health systems and varying responses to different assessments of threats.¹³

How serious are threats from infectious diseases? In 2005, the World Health Organization (WHO) declared that Southeast Asia would be the “next ground zero” if the H5N1 virus (a subtype of Influenza A virus) mutates into a pandemic.¹⁴ The warning was WHO’s way of reminding the region’s governments that they needed to be the first line of defense if such an outbreak occurred and emphasizing the critical urgency of putting in place emergency plans and effective surveillance systems in the region.¹⁵ Despite this warning, how prepared are states in Southeast Asia for such an eventuality?

Information about disaster response and capability from most countries in the region is inadequate.¹⁶ As shown by their responses to the SARS outbreak, while

Singapore and Hong Kong were able to deal with the health crisis in a reasonably effective manner, other countries experienced a range of challenges in coping with the problem. Aside from the shortcomings at the national level, such as the lack of contingency planning and coordination among state agencies, there has also been very little institutionalized regional cooperation in the area of public health policy. As indicated above, it was only after the SARS outbreak that some regional mechanisms were proposed, and at the top of the list was building regional capacity for surveillance and disease control.

There are currently several proposals to strengthen the monitoring of disease outbreaks at the national and regional levels. In December 2004, ASEAN established a task force to respond to the spread of avian flu in the region. Responsibility was divided among the five original members of the group, with each country taking on a specific role. This plan was reinforced in October 2005 with the establishment of a regional fund for combating avian flu and a three-year action plan.¹⁷ Within the framework of a wider forum—the ASEAN Plus Three (APT) and the East Asia Summit (EAS)—it is noteworthy that the measures outlined include strengthening of institutional capacities at national and regional levels to ensure effective and efficient implementation of avian influenza prevention, putting in place control programs and pandemic preparedness and response plans, and enhancing capacity building for coping with a pandemic. The latter includes establishing information-sharing protocols among countries and multilateral organizations to ensure effective, timely, and meaningful communication before or during a pandemic influenza outbreak.¹⁸

One should note, however, that many of these proposed measures from ASEAN, APT, and EAS have yet to be implemented. Given the lack of resources allocated to improving public health systems at the domestic level, national and regional capacities to respond to transnational health crises remain inadequate.

Mitigating the Effects of Environmental Degradation and Climate Change

The recurring problem of air pollution in the form of haze originating from forest fires in parts of Southeast Asia has elicited an unprecedented reaction from official circles in the region. The complaints voiced by ASEAN officials, urging their counterparts in Jakarta to act decisively and address the increasing severity of recurring forest fires and ensuing environmental degradation, have led to more regional resolutions on environmental issues. These included the 2002 ASEAN Agreement on Transboundary Haze Pollution.

Data have shown that the recurring haze problem in the region has exacted a high price in terms of human security, as well as costs to health systems, economic productivity, and the general economy. It was reported that the three-month prolonged haze in Southeast Asia in 1997–1998 cost regional economies US\$9–10 billion.

Reducing the effects of climate change demands a more complex approach to the problem of environmental degradation. The difficulties associated with implementing reduction in carbon emissions and promoting the use of clean energy technology are daunting challenges to the less developed countries in Southeast Asia. Given the lack of a general consensus on the measures that the international community should take to mitigate the effects of climate change, it is difficult to see this effort becoming a top priority for developing countries in the region. Yet ironically, it is these countries that have often borne the brunt of the effects of climate change—coastal flooding, loss of biodiversity, and colossal damage to the environment.

To sum up, with respect to the NTS challenges posed by natural disasters, infectious diseases, and environmental degradation, state capacity is indeed very critical. Thus, while it is commendable that ASEAN has come up with a number of initiatives to build regional capacity, many of these efforts at addressing transboundary challenges are and can be hampered by the problem of state capacity. The next section of this paper focuses on Indonesia to show why more studies should be done to examine the importance of state capacities in resolving NTS challenges.

UNDERSTANDING THE DYNAMICS BETWEEN REGIONAL ENVIRONMENTAL SECURITY AND STATE CAPACITY: THE CASE OF INDONESIA

As noted above, there have been a number of regional efforts to address the recurring problem of environmental pollution in Southeast Asia; among these is the 2002 ASEAN Agreement on Transboundary Haze Pollution. Experts have, however, expressed serious reservations about the ability and capacity of states in the region to implement these agreements. Aside from the often-cited factor of lack of political will, practical challenges confront many countries in the region. This is where understanding key aspects of Indonesia's capacity to manage the haze problem and deforestation is useful. Of the indicators cited earlier from the study on environmental management and state capacity, four are most applicable here and cover both the component of state capacity (i.e., instrumental rationality and coherence) and the state's relationship with its society (i.e., reach and responsiveness and legitimacy).

Numerous studies regarding the state of Indonesia's forests have labeled the situation a crisis. If current rates of deforestation are not curbed, it is likely that Indonesia's natural production forests will be depleted by the end of the decade and large areas of conservation forests will be severely damaged or completely lost. The roots of this crisis lie largely in the disagreement over who has the right to control and manage the country's forests. The simplistic interpretations of the exact locations and extent of the country's forests and the ambiguous jurisdiction of the Ministry of Forestry leave the forests vulnerable to exploitation by industries and the local people.

Political-Institutional Framework

Institutional Framework: National Environmental Institutions

Indonesia's central government established the Ministry of Development Supervision and the Environment in 1978 in response to international pressure to reduce pollution in the country. The Ministry was meant to promote economically and environmentally sound development, with a conscious and planned effort to use and manage resources to improve the quality of life through sustainable development.

As part of this larger Ministry, the Office of the State Minister for the Environment is responsible only for environmental management and coordination. This office does not have sub-national branches in Indonesia's provinces and is substantially less powerful than a full-fledged ministry. The Office of the State Minister thus plays a coordinating role from Jakarta and has no actual enforcement ability in the provinces.

The Badan Pengendalian Dampak Lingkungan (BAPEDAL), the Environmental Impact Management Agency, was established by the Indonesian government in 1990. Though this agency and the Office of the State Minister for the Environment were technically separate institutions, the division of responsibilities between the two was rather ambiguous, and institutional tensions and rivalries existed between them. Officially, the Office of the State Minister for the Environment was supposed to formulate and coordinate policy and to broadcast laws, while BAPEDAL was to enforce environmental regulations and supervise compliance and to monitor, measure, and analyze environmental pollution.

BAPEDAL had some provincial jurisdiction with some regional branches established in the provinces. The main enforcement mechanisms in the provinces were the police, the army, the local governments and prosecutors, and local BAPEDAL branches (where applicable). In 1999, BAPEDAL was merged with the Office of the State Minister for the Environment, and in 2002, former President Megawati Sukarnoputri dissolved BAPEDAL. At that time, BAPEDAL was handling some 23 violations of environmental laws.

Aside from these two environmental bodies, the Ministry of Forestry, established in 1983 (elevated from a directorate general in the Ministry of Agriculture), has been responsible for the management of all state forest lands. Provincial and district governments and the Ministry's technical implementing units all over the country shoulder this responsibility since decentralization.

Strategic Environmental Planning

Various overlapping institutions manage environment-related issues in Indonesia. Aside from those mentioned above, other environment-related ministries include the Ministry of Trade and Industry, the Ministry of Energy and Mining, the Ministry of Agriculture, and the Ministry of Home Affairs. Unlike the Office of the State Minister for the Environment, these are full-fledged ministries with more

staff, resources, and provincial authority. However, the specific jurisdiction of each institution is rather ambiguous. This uncertainty is carried over to the local level. The enforcement responsibilities of local branches of national agencies, provincial and municipal governments, and local bodies such as police and prosecutors are also ill-defined.

A 1998 review by the Ministry of Development Supervision and the Environment and the United Nations Development Programme (UNDP) concluded that “Indonesia does not have a professional fire management organization. . . . Agencies involved in fire management do not have adequate mandates, level of competence and equipment to carry out their tasks.” The Ministry of Forestry was the only government agency with a specialized body for fire prevention and control, the Directorate of Forest Fires under the Directorate General of Forest Protection and Nature Conservation.¹⁹

Some of the main weaknesses in Indonesia’s fire suppression and control abilities that were identified by the 1998 review were duplication of functions across agencies, ambiguous institutional authority and responsibility, inadequate mandates, and weak local institutional capacities. For example, in the forestry sector, national, provincial, and district offices are prone to issuing overlapping and conflicting timber licenses. Districts may issue licenses on lands where the Ministry of Forestry has previously granted concessions. “Each level of government vigorously asserts its authority to make a number of decisions and simultaneously denies the authority of other levels of government to do so.”²⁰

Impact of Decentralization (Distribution of Authority)

In 1999, the Indonesian government passed two laws, which were to be implemented on January 2001, calling for decentralization of authority to the districts and provinces. Decentralization has boosted the country’s capacity in some aspects. Some local communities now have a stronger voice in shaping environmental policies, and local authorities have become more accountable. Decentralized governments are also better able than centralized governments to respond to local needs and demands.

However, decentralization in Indonesia happened through a single sweeping action, providing local governments with little preparation for the new decentralized framework. Thus, laws were enacted, but corresponding regulations were not, and local officials were left to their own devices to interpret and make discretionary judgments in many areas of their newly assigned responsibilities.²¹

Local governments also tend to support regional stakeholders because these are crucial generators of local revenues. After President Suharto resigned, the revised Basic Forestry Law was enacted in 1999, giving district heads the authority to hand out licenses for logging 100 hectares of lands under their jurisdiction. The law also stipulated that 80 percent of the revenue from each region’s natural re-

sources industries (including forestry) would be returned for use by the regional government. This resulted in some district governments granting up to 10 logging licenses to each applicant. Each of these concessions was found to correlate with a revenue increase of US\$5,000 to US\$10,000 for the regional government.²²

Constitutional and Legal Framework

A host of national and provincial agencies address different spheres of environmental protection, and their jurisdictions sometimes overlap. Consequently, there has been multiple legislation and confusion in the law. For example, the Industry Act, the Forestry Act, and the Agriculture Act, administered respectively by the Ministries of Industry, Forestry, and Agriculture, all contain provisions on environmental violations.

Rampant exploitation of the country's forests arose in part as a result of poor constitutional and legal protection. Ambiguous laws and definitions regarding ownership of land were the roots of the land misuse that has taken place over the past few decades. There was uncertainty as to which government agency (and provincial authority) should be responsible for addressing the problem of haze from the clearing of forest land for plantation and industrial purposes.

When Indonesia became independent from the Netherlands in 1945, it was enshrined in the constitution that all natural resources were to be controlled by the state. The 1960 Agrarian Law reiterated this point, stating that "indigenous law shall be recognized, providing this does not contradict national and state interest."²³ This constitutional and legal protection of the state's control of land allowed lands that were once community-owned to be licensed for industrial purposes to relatives and political allies of Suharto during his reign. Most of Suharto's cronies exploited the lands, employing environmentally detrimental practices without facing prosecution. Conflict over land tenure continues today, and, as there is no systemized way of determining land ownership, conflicting parties often resort to setting fires to lay claim to lands.

There are also numerous laws in Indonesia that call for environmental protection. However, many of these laws were enacted at different levels of government and contradict each other. In the Riau province, local businesses can choose which burning policy to follow, since the district government enacted a zero-burning policy but the provincial government allows burning up to two hectares of land. Consequently, environmental laws are rarely enforced and provide no real basis for judicial action.

In other cases, the authorities actively shield violators of environmental law. Blatant illegal logging has occurred at Bukit Tigapuluh National Park in Sumatra and Tanjung Puting National Park in Kalimantan without interference from the Ministry of Forestry. In fact, it has been alleged that authorities in the Ministry are involved in the logging.

Indonesia has recently enacted a law requiring all companies to practice corporate social and environmental responsibility. According to consultancy enterprise CSR-Asia (Corporate Social Responsibility–Asia), “Indonesian company law states that companies with an impact on natural resources must implement CSR which is to be budgeted for as a cost.”²⁴ The companies that will need to comply are those “engaged in natural resources or those in business in connection with natural resources.” Many aspects of this law remain ambiguous, such as exactly which industries need to comply, what are considered to be “natural resources,” and what types of projects or undertakings can be defined as socially responsible. Some have criticized this law as simply legislative philanthropy, rather than a true law that would require businesses to function in a socially and environmentally responsible manner.

Cognitive-Informational Framework

Government’s Approach to Information Sharing

Up-to-date and reliable information about the forest zones in Indonesia is not available to the public. Information on the ownership of lands, the groups that currently occupy them, and any conflicting claims to the lands is unavailable. The government has also acknowledged that the country’s procedure for forest inventory and mapping is weak.

Until recently, bureaucratic obfuscation and industry intimidation prevented researchers and the public from accessing environmental data, if they were even available. The Indonesian government collaborated with the World Bank in 2000 to compile a new set of forest cover maps. However, the latest maps use classification schemes that differ from previous ones, and thus direct comparability is lacking. Besides technical difficulties, overlapping administrative responsibilities, rapid personnel changes, and a lack of capacity still hinder information procurement.

Involvement of Other Actors

Nongovernmental organizations (NGOs) have played a significant role in pushing for environmental protection in Indonesia. The Environmental Management Act of 1982 acknowledged the rights of NGOs to serve as community institutions for environmental management and development. Emil Salim, then State Minister for the Environment, actively pushed for the formation of environmental NGOs during his career. Even the Suharto government relied on the funds and expertise of NGOs. The political activism that the NGOs inspired was tolerated because they provided useful and inexpensive services to Indonesian communities and it served to channel students’ frustration.

Historically, the most influential environmental NGO in Indonesia has been WALHI (Wahana Lingkungan Hidup Indonesia), founded in 1980. WALHI cre-

ated a precedent in leading a suit in 1988 against PT Inti Indorayon Utama Ltd., a pulp and rayon factory backed by Suharto's son. Although WALHI eventually lost the suit, just a few months later it organized an international consumer boycott of the US firm Scott Paper. The NGO protested the company's joint venture with PT Astra International, a project that would have displaced 15,000 people. Along with a coalition of other NGOs, WALHI embarked on an extensive and successful media campaign to embarrass the US firm, causing it to pull out of the venture.²⁵

After Suharto resigned in 1998, restrictions on the mass media were relaxed, and the number of NGOs increased exponentially. Both of these actors have become a significant force in promoting environmental consciousness and making information available to the public. The roles and activities of NGOs have also become more diverse. Current NGO activities include, among others, advocating the land rights of local communities and sustainable forest management, participating in policy formation processes, facilitating land use mapping and information sharing, and continued monitoring of environmental violators. The relationship between NGOs and the government has also improved, as NGOs now do more than just criticize the government.²⁶

Environmental consciousness among local businesses, especially small and medium enterprises, remains extremely weak. However, some political will and an acknowledgment of the need for businesses to have environmental interests were exhibited by the recent enactment of the CSR law.

Some multinationals have taken the lead in introducing the best environmental practices in Indonesia. Fiber plantation company APRIL adopted a "No-Burn" policy for its land-clearing operations even before this option was stipulated in Indonesian legislation. APRIL has also initiated secondary industries that support its business and engage local communities in long-term employment, drawing people away from relying on slash-and-burn agriculture for their livelihoods. Despite such efforts, environmentally conscious multinationals are still hindered by the political and institutional obstacles mentioned earlier. In general, companies dealing with natural resources that actively practice sustainable methods remain few and far between. Unless the government improves the enforcement mechanisms or creates economic incentives for companies to adhere to environmental policies, improvement in this area is likely to remain sluggish.

Current Environmental Strategy

In 2000, Indonesia made 12 commitments to the Consultative Group on Indonesia, chaired by the World Bank, to reform its forestry practices. However, following the extensive fires of mid-2001, it was reported that the Ministry of Forestry had "no plan to fight fires," and officials subsequently admitted that they lacked a "clear blueprint" of how to rein in the annual massive forest burning.

The collaboration with the World Bank has continued, and the Ministry of Forestry released a new strategy in 2006 aimed at controlling the country's forestry problems. The Ministry has stipulated the following five priorities for the period 2006–2009:²⁷

- Eradication of illegal logging from state forest areas and of illegal timber trade;
- Revitalization of the forest sector, especially the forestry industry;
- Rehabilitation and conservation of natural forest resources;
- Economic empowerment of people inside and outside the forest area; and
- Determination of the forest area.

Despite the presence of clearly stipulated goals for resolving the country's deforestation problem, consultation and cooperation among different levels of government remain weak. Whether the new strategy will result in some progress or become yet another failed attempt remains to be seen. However, local authorities who have gained more power since decentralization and members of the public who have benefited economically from the lack of regulation could deter any significant change.

To make any substantial progress, Indonesia will have to take a multidimensional approach, since even a reformed forestry sector will be plagued by other deep-seated weaknesses, such as corruption. Current President Yudhoyono has named the eradication of corruption as a top priority, and his continued public commitment to this goal will be necessary to provide a clear message and motivator for change.

Pressure from Other Actors

Increased environmental activism and public protests have influenced the Indonesian government to take action against offenders. In May 1999, following poor environmental impact assessment reports of the company's activities, the Ministry of Forestry withdrew a 39,300-hectare logging concession granted in 1992 to the Medan Remaja Timber (MRT) company in Aceh Province, Sumatra. NGOs that sent information on the company's environmental performance to the Ministry were the major force behind this action.

However, pressure from neighboring countries seems to be most effective in motivating the Indonesian government to take action. In 2006, after counterparts from the Singaporean and Malaysian governments informed President Yudhoyono of their disappointment in the lack of progress with the haze problem, response from the Indonesian government was swift. President Yudhoyono immediately convened a meeting with his officials, after which he issued an apology to Singapore and Malaysia for the fires. He also instructed his foreign minister, Hassan Wirajuda, to convene a subregional meeting of environment ministers in Pekanbaru, In-

onesia. Prior to these complaints from neighbors, political action by the Indonesian government had been slow-moving.²⁸

Other Factors

Indonesia's deforestation problem is compounded by poor enforcement of existing laws, a severe lack of resources, and rampant corruption.

Indonesia has a variety of environmental laws at the national and provincial levels that criminalize intentional burning, but these laws are rarely enforced. Legal action and legal penalties have rarely been taken against companies implicated in setting fires.

The Ministry of the Environment/UNDP review cited the following reasons for the lack of active enforcement of existing laws:²⁹

- Lack of political will on the part of law enforcement agencies;
- Lack of access by enforcement authorities to data on fires;
- Lack of facilities and equipment to support field investigations;
- Differing perceptions by various agencies of what constitutes adequate legal proof of intentional burning;
- Lack of understanding of legal provisions on corporate crime that would allow companies, rather than individual employees, to be prosecuted;
- "Lack of integrity" on the part of law enforcement authorities; and
- "Conflicts of interest" between the agencies charged with conservation and fire suppression and those charged with promotion of plantation and other agricultural products.

The perceived urgency of the situation among the public is relatively low, since the impact of deforestation is not yet severe or directly felt. Burning is rooted in Indonesia's slash-and-burn agricultural practices; the people have thus been used to the smoke generated from the burning (the most immediate impact experienced) and do not view it as an encroachment on their quality of life. Some may support stricter controls on forestry practices because the rights to their indigenous lands have been infringed upon, not because of an awareness of the deeper environmental implications. The lack of perceived urgency makes widespread public pressure for change unlikely. Reform in Indonesia will thus be fueled mostly by those of the educated public who understand the long-term implications of deforestation.

Distrust of the government is also high, built up over the years of Suharto's regime, when the rights of ordinary locals were abused and exploited, in favor of his family and his rich political supporters. Unfortunately, this legacy of distrust will require the Indonesian government to work doubly hard to regain the confidence and trust

of the people, rebuilding in Indonesians the sense that the government's goals and actions are legitimate.

CONCLUSION

While NTS challenges have increasingly become major issues for states in Southeast Asia, the success of regional efforts in addressing these problems is largely contingent on the capacities of individual states to complement and implement regional initiatives. The in-depth case study on Indonesia shows that without a better understanding of the constraints faced by relevant actors, policy prescriptions on how to effectively deal with NTS challenges will be impaired. Thus, a reexamination of the state's role, its capacity, and the nature of state-society relations will be a necessary first step in any effort to turn states into effective instruments for achieving collective goals and managing regional security.

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