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Grasp the pattern, read the trend

Asia in Review

(AiR 1/1/2018)

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Dear Reader,

In the new year 2018, it is my pleasure to cordially invite you again to CPG's 'Asia in Review'. As usual, AiR covers the major developments in constitutional politics, regional security, geopolitics and international relations in South, Southeast and East Asia with interesting links, introductions and summaries.

Among the topics featured this week are cast-related protests in India, 2018's upcoming elections in Malaysia and (probably) Thailand, martial law and human rights in the Philippines, preparations for the long awaited constitutional amendment in Japan as well as issues related to Asia's currently emerging security order. Also, do have a look at our background readings on historical and cultural aspects of Asian political orders!

Finally, please allow me to express my heartfelt thanks to the great response by some of you to AiR which gives us a precious reward for our efforts to put this information piece together every week.

With my best wishes and greetings from the AiR team at CPG,

Henning Glaser

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Law and Politics in South Asia

Pakistan: Chinese Yuan allowed for trade and investment

In a move to facilitate the trade and investment with and from China, the State Bank of Pakistan has announced that the Chinese Yuan is now an approved foreign currency denomination [Strait Times]. In addition to the positive effects the change is expected to have on the China-Pakistan Economic Corridor (CPEC), it is also regarded as another sign of growing Chinses influence as Pakistan looks to reduce its dependency on the US Dollar [Dawn].

Pakistan: Safe-haven *for* or outstanding contributions *against* terrorists?

After US President Trump lashed out against Pakistan, essentially accusing the regime of supporting terrorists and announcing to withhold US military aid [Strait Times], Chinese officials were quick to point out that Pakistan has achieved a lot in the fight against terrorism and contributes significantly to the global cause of counter terrorism [Times of India]. Pakistan's opposition leader and ambitious candidate for the next premiership has hence referred to the US President as "ignorant and ungrateful" [South China Morning Post].

Nepal: Still no government in sight

Political parties in Nepal have yet to agree on a new government after the historic election results at the end of last year. The landslide victory of the left-wing coalition has not yet translated into the formation of a new government due to procedural problems and some administrational weaknesses [The Wire]. For more in-depth analysis of the constitutional conundrum and the underlying factor for the instability in Nepal, please also refer to CPG's online magazine COM's late 2015 and 2016 issues and the interesting articles they contain on Nepal and its constitution [COM 05/2015; COM 06/2016].

Cast conflict in India

On occasion of the commemoration of a historic battle on January 2, it came to widespread clashes and violence in some major cities across India. The battle fought between the Peshwa and troops of the British East India Company 200 years ago is controversial for its symbolism. Whilst the battle did not produce a decisive winner on either side, the significantly outnumbered soldiers of the East India Company who were mainly recruited from lower casts, managed to withstand the higher-cast Peshwa [Asia Times]. Whilst the greatness of the Peshwa is regarded as a symbol of high-cast supremacy, this particular battle serves as historical evidence that untouchables and lower casts in general can successfully stand up against high-cast oppression [Economic and Political Weekly].

India: Large number of child marriages despite legal ban

In India, marriage of girls under the age of 18 and boys under the age of 21 is illegal. It has been for decades. Despite this fairly clear legal situation, child marriages in India are still widespread and mainly resisted only by community activists and non-governmental organisations. The issue disproportionally affects girls as they often get pregnant very young and will not have the opportunity to receive full-time education as a result [Asia Times].

Law and Politics in South East Asia

Malaysia: Election campaigns are about to begin – What are the main clashpoints?

The upcoming election campaign in Malaysia will see the country's long-time autocratic ruler, former prime minister Mahathir Mohamad, recast as the man who just might bring an end to six decades of one-party rule in the country, argues the Globe and Mail. At the age of 92, he reinvented himself as a democracy-minded opposition leader. Now, it is Mahathir who complains about the authoritarianism of those in power. His primary target is his long-time protégé, Prime Minister Najib Razak [The Globe and Mail].

Though the fierce battle for power between Mahathir and Najib will be the undoubted headline act this election year, the feud between Mahathir and the country's hereditary Malay monarchs – stretching back to his strongman rule from 1981 to 2003 and reignited last year – will be another development to watch, reports Bhavan Jaipragas [South China Morning Post].

Another pressing issue regarding the upcoming elections in Malaysia (though no date has been fixed yet) is the battle for the Malay Muslim vote, in particular the fortunes of Parti Islam SeMalaysia (PAS). Though the allegiance of conservative voters between the Islamist party and the ruling United Malays National Organisation (Umno) may not provide immediate benefits for PAS, Wan Saiful Wan Jan of ISEAS argues that the long-term outlook may be bright [Straits Times].

Thailand: Will there be an election in 2018? And who will be running?

A lot of rumors are circulating in advance of the next parliamentary elections in Thailand, which are scheduled for the end of 2018. Most prominently among the rumors figures the increasingly likely formation of a new political party with close proximity to the ruling military junta. Duncan McCargo assesses different possible scenarios, from another election postponement to a Pheu Thai victory, with or without an unelected individual becoming prime minister [Nikkei Asian Review].

For his part, Prime Minister Prayut Chan-o-cha declared openly for the first time Wednesday that he is no longer a soldier but a politician, though he said he felt compelled to become premier out of a sense of responsibility [Bangkok Post]. Meanwhile, Democrat leader Abhisit Vejjajiva and Pheu Thai key figure Chaturon Chaisang gave separate interviews to the Bangkok Post, deploring the obstacles created for old and established political parties, while newly established parties appeared to receive a more favorable treatment [Bangkok Post]. At the same time, there are indications that Pheu Thai party members have been approached to be recruited for a newly to be formed political party [Bangkok Post].

The Nation provides a brief but concise overview of the military government's roadmap and the detours that have been taken so far. Despite the announcement of elections for 2018, the newspaper holds that the road remains bumpy and difficult, and uncertainty remains [The Nation]. In another piece, the Thai elections are put into a wider Southeast Asian perspective, as the upcoming elections in Cambodia, Malaysia as well as Thailand are poised to legitimize authoritarian governments while democratic values and citizen freedoms are increasingly eroded [The Nation].

Myanmar: Rough justice for the poor – legal facilitation for the businesses

Myanmar's legal system is increasingly two-faced. On the hand, Sara Perria for the Financial Times reports that, despite Myanmar's democratic transition, the local-level civil service remains under the grip of the General Administration Department, a military-dominated institution that forms part of the interior ministry and has a countrywide presence, while the judiciary lacks independence from military or political control. As a consequence, access to justice, especially for poor people, is often an illusion. "People don't go to court even when they need to, because they don't trust it." [Financial Times]

On the other hand, businessmen and economists have been eagerly awaiting a piece of legislation that could have a transformative effect on the Myanmar economy. The Myanmar Companies Law aims to transform the Myanmar economy in order to attract more foreign investment in domestic businesses. It adopts international best practices on the company formation, business registration processes and corporate governance and will enter into force on August 1, 2018 [Mizzima].

Philippines: Martial law in Mindanao under scrutiny as human rights abuses continue

Philippine President Rodrigo Duterte's extension of martial law in Mindanao, which was approved by the Philippine Congress, is under scrutiny by the country's Supreme Court, after opposition lawmakers field a petition last month. Within the Supreme Court, the petition has been assigned to Associate Justice Noel Tijam, Duterte's second appointee to the high court [Philippine Star]. Due to an alleged continued threat by violent extremists, Martial law was extended even though the city of Marawi had previously been declared liberated.

Meanwhile, a Muslim indigenous community in the southern Philippines has suffered widespread human right abuses that could intensify with the martial law extension, U.N.-appointed experts said. The government, however, fears that mountainous, jungle-clad Mindanao, a region the size of South Korea, could attract foreign militants [Reuters].

Against this background, Ana P. Santos reports for Deutsche Welle that 2018 will be “dangerous” for the Philippines. One expert foresees that a dictatorship will be formally established through a declaration of a revolutionary government. Another submits that the government's single-minded focus on the war on drugs led to the miscalculation of other imminent security threats. Moreover, if the political situation deteriorates, then it could have a negative impact on the economy as well [Deutsche Welle].

Law and Politics in East Asia

China: Why Xi Jinping is once again letting China’s military have a direct link to local authorities

Official announcements have revealed that military personnel will from this year on be seated in party standing committees on local level paving the way for the military to not only be involved in local administration, but even to take over powers from the civilian authority in some areas such as the power to suppress protests and respond to natural disasters as well as violent attacks [South China Morning Post].

China: Hong Kong demonstrators vow to protect the city against further infringement of city’s autonomy

On a march New Year’s Day thousands of Hong Kong’s citizens demonstrated against the increasing

undermining of the city's autonomy by the Chinese government. The protest was mainly directed against the so called co-location arrangement between Beijing and Hong Kong endorsed by the National People's Congress last week: a controversial plan to establish a joint checkpoint at the Hong Kong's West Kowloon station of a high-speed rail link that will connect Hong Kong with Shenzhen and Guangzhou, scheduled to start operations next year [Reuters]. Critics view the agreement as in contradiction to Hong Kong's Basic Law undermining the city's autonomy by allowing mainland officials to enforce mainland Chinese laws for the first time on Hong Kong soil – specifically over a part of the checkpoint area leased to them at the terminal [Hong Kong Free Press].

China: Tibetan-language activist stands trial on separatism charges after appearing in New York Times video

Tibetan-language activist Taishi Wangchuk has been pre-trial detention for two years on allegations on inciting separatism. Standing trial on Thursday and facing up to 15 years imprisonment, he pleaded not guilty on grounds that he has not been advocating Tibet's independence but fighting against the marginalization of Tibetan language and culture at schools [South China Morning Post] [The News Lens, in Chinese]. Amnesty International has condemned the trial as "shame trial" on the basis of an "absurd charge" [Amnesty International]. In a related development, Bayangol No. 3 High School, the last school to provide instruction in the Mongolian language in the Bayangol Prefecture in China's northwestern Xinjiang Uyghur Autonomous Region was banned from using Mongolian earlier this week [Southern Mongolian Human Rights Information Center].

Japan: Draft for constitutional revision to be presented this year

Prime Minister Abe in his first press conference of 2018 announced on Thursday that he will instruct the ruling Liberal Democratic Party (LDP) to submit draft revisions of the constitution to the Diet this year [Asahi Shimbun]. With a solid two-thirds majority of the LDP-led coalition in the Diet, challenges for Abe's constitutional reform plans will more likely come from

within the coalition than from the opposition [East Asia Forum].

South Korea: Political party landscape on the move

Ahead of the local elections in June, the center-left People's Party and the conservative Bareun Party announced to start the formal procedure for their merger. The parties view the merger as an attempt to establish a third political force rivaling the ruling Democratic Party and the main opposition Liberty Korea Party. The merger would form a party with 50 lawmakers in the 299-member National Assembly. The Democratic Party has only 121 seats, necessitating opposition support for the passage of any disputed bills [Yonhap].

South Korea: Opposition lawmakers arrested over bribery, illegal political funds

Two incumbent member of the National Assembly from the opposition Liberty Korea Party have been detained over allegations on taking bribes and receiving illegal funds under the previous Park Geun-hye government. Among them is Choi Kyung-hwan, deputy prime minister and finance minister under the Park administration 2014-2016 [Yonhap].

International Relations, Geopolitics and Security in Asia

India and the new Asian order: Nepal, the Maldives and greater Sino-Indian relations

Against the background of the competition between the two major rising powers in Asia, China and India, the first two pieces looks at the Indian PM's neighbourhood first policy and where it has had its successes and constrains [Carnegie]. Significant progress has been made and under Modi, India looks to keep strategic engagement at the top of the priority list.

But India is facing an uphill battle for influence in its neighbourhood with China also increasing its economic and political influence [The Diplomat]. The election of a "China-friendly" government in Nepal recently serves as a one example [Pacific Standard], as do the deteriorating relations between India and the Maldives [Asia Nikkei]. China's motivations, as many feel in India, are all but exclusively benign and whilst Indo-Sino cooperation should be encouraged in general, it is important for India not to lose sight of the fact that China is a strategic competitor and will not do India any favours beyond what is good for China.

China is an absolute priority for Indian foreign policy and It is no coincidence that the next foreign minister in India will be a China expert, in fact a diplomat who was crucial in resolving the Doklam stand-off [Sputnik]. India, it is argued, must for instance be prepared for a border war [Outlook India] and recent steps such as the linking of all posts along the Chinese border are signs that this is considered a real possibility [Times Of India]. India must stay vigilant in its external relations and be careful not to cede the entire region to China in political, economic or cultural points [The Print / Inst. for Defence Studies and Analyses]. After the recent Doklam border stand-off, there is already a new stand-off, this time firmly inside Indian territory [Indian Express].

India and Japan: Teaming up to counter Chinese space exploration ambitions

The space agencies of the two countries are planning a joint mission to the moon amidst more and more aligned strategic interests in the face of China's rise. The two countries' decision to join forces is no doubt exacerbated by recent Chinese efforts in space exploration. The mission is to focus on the moon's south pole which may hold crucial resources which one day could help sustain human life (Financial Times).

China: Military build-up

According to a PLA source, China has begun to construct its own aircraft carrier last year, a vessel with a displacement of 80000 tonnes and a launch system more advanced than the Soviet-designed ski-jump systems [South China Morning Post 1]. In a related development, the PLA Navy announced that it will train its own pilots instead of recruiting from the air force as done so far [South China Morning Post 2].

China-Cambodia relations: Beijing support upcoming general elections

Ahead of Prime Minister Li Keqiang's visit to Phnom Penh next week, China's foreign minister voiced confidence that the July's general elections in Cambodia will be free and assured electoral aid. The United States and the European had withdrew their support following the dissolution of the opposition Cambodia National Rescue Party (CNRP) in November at the government's request [Reuters].

Cross-Straits relations: China opens new aviation corridors over Taiwan Strait

Increasing the already frosty relations between China and Taiwan, Beijing on Thursday has unilaterally opened new flight routes over the Taiwan Strait for northbound commercial flights prompting fierce rejection from Taipei out of fear for abuse by the military. Taiwan's Mainland Affairs Council demanded the immediate halt of flight on those routes [Focus

Taiwan]. Beijing's action follows a high number of air force drills over the Taiwan Strait in the past months.

North Korea: Mixed reactions on reopened border hotline

Kim Jong-un has re-established the communication channel between Pyongyang and Seoul after its halt in 2016 following a dispute involving the Kaesong industrial complex, which was jointly operated by both countries. Analysts warned that it could be a step aimed at damaging the relations between Washington and Seoul with both showing different reactions to Kim's move. Whereas US ambassador to the UN, Nikki Haley, questioned the wisdom of an inter-Korean dialogue unless it was to include a North Korean commitment to abandon its nuclear weapons program, President Moon's spokesman welcomed the Kim's action as an opportunity for regular communication [The Guardian].

Forces shaping Southeast Asian regional security and geopolitics

This week, Indonesian Foreign Minister Retno Marsudi paid a visit to the Philippines, where she met with top officials including President Rodrigo Duterte. Though the agenda itself was more wide-ranging, her trip put the spotlight on the progress both sides are trying to make on some common security challenges [The Diplomat].

Li Jie Sheng, analyzes the United States National Security Strategy (NSS) and its repercussions for Southeast Asia. However, the NSS makes only little mentioning of US security relations to Southeast Asian countries. Taking into account the general direction in US foreign and security policy, Li describes the Trump administration's agenda as aggressive, narrow-minded, and perhaps isolationist [The Diplomat].

Finally, Professor Yee-Kuang Heng of the Graduate School of Public Policy, University of Tokyo, examines Japan's hard and soft power in Southeast Asia. It highlights Japanese military cooperation with the Philippines, Singapore and Vietnam, while also exploring soft power projects throughout ASEAN [New Straits Times].

Will the Mekong River become the new South China Sea?

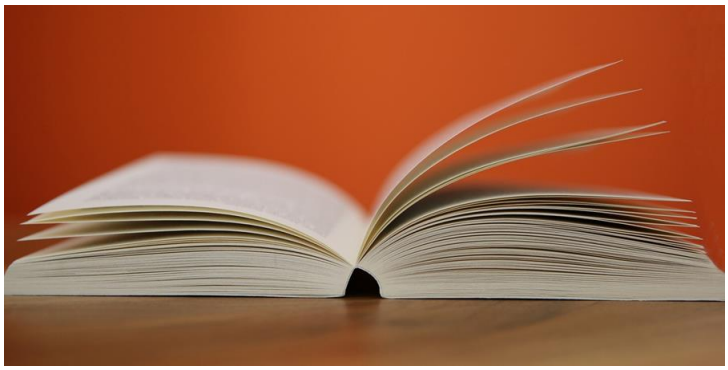
In 2015, China established the Lancang-Mekong Cooperation (LMC), a potentially rival organization to the long-standing Mekong River Commission, which has been around in various guises for more than 60 years, but in which China and Myanmar never participated. Last month, foreign ministers from the six LMC countries met in southwestern China to approve a draft of a five-year development plan for the river. Some analysts argue that the Mekong issue has the potential to be the largest China-Asean conflict flashpoint after the South China Sea, and that Beijing regarded controlling the river as a strategic objective [South China Morning Post].

Thailand's foreign ministry has just announced that it hopes to push forward concrete cooperation among the LMC countries under the Belt and Road Initiative proposed by China. The country will bring documents concerning cooperation of the six riparian countries of the Mekong River for endorsement at the 2nd Lancang-Mekong Cooperation (LMC) Leaders' Meeting next week [Xinhua].

ASEAN: The new Secretary-General

Dato Paduka Lim Jock Hoi, a top trade official and diplomat from Brunei Darussalam, has assumed office as the new Secretary-General of the Association of Southeast Asian Nations (ASEAN) on Monday. Lim is the 14th ASEAN Secretary-General succeeding Secretary-General Le Luong Minh from Vietnam who completed his five-year term on Dec. 31, 2018 (Manila Bulletin). For more information about Mr. Lim, the ASEAN website provides a portrait of him [ASEAN Website].

Background Reading



The CIA’s secret war in Laos

A radio producer and son of a former US spy who was active in a covert operation in Laos in the 1960s explores what he felt when his father eventually told him about his secret past and what he came to discover about an operation code-named Pig-Pen (BBC Radio I).

Japan's endless search for modernity

With the Meiji Restoration in 1868, Japan embarked on its unique journey to become a modern nation-state. Since then Japan has been struggling to find answers to questions such as the degree of instilling Western concepts of individualism into Japanese society, capitalist disruption of tradition, and the threat posed by hostile foreign countries. The search for the country’s identity is still ongoing 150 years later under Prime Minister Abe’s efforts for economic reforms, constitutional change, and assertive foreign policy [The Atlantic].

Across Indonesia’s capital, a legacy of soviet-inspired design

In Jakarta, a number of Communist-influenced monuments are sprinkled throughout the city, part of the legacy of Indonesia’s founding president, Sukarno, who served from 1945 to 1967 and led the country’s move for independence. The New York Times portraits them as a interesting and ironic counterpoints to warnings from hard-line Islamists of a Communist resurgence [New York Times].

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