

ASEAN: Territorial Disputes

Prepared by Joshua Lachter



**Harvard Model
Congress Asia**

INTRODUCTION

War throughout history, more often than not, has been sparked by territorial disputes between nations. Precipitated by claims on property, farmland, or key trading areas, countries have resorted to aggression and even outright battles over even relatively small pieces of land. In Southeast Asia, territorial disputes have been no less problematic and, at times, hostile. From the time of the traveling Mongol warlords six hundred years ago to Japan's land grab in China during the World War II, Asia has been home to some extremely fierce territorial conflicts. This section will discuss some of the reasons why the region is particularly prone to territorial dispute—geographically and historically. Next, we will consider some specific instances of territorial disagreement in depth—in specifically in Thailand and its neighbor Cambodia—that have occurred over the past few decades which epitomize the problems. Finally, ASEAN's role in these disputes will be discussed and ways in which this supranational organization has—and will continue to work—on behalf of regional and territorial stability.

BACKGROUND AND HISTORY OF TERRITORIAL DISPUTES

Political scientists and politicians agree that borders are generally negotiable and tend to change naturally over time. In the United States, for instance, election districts are routinely changed to help one political party over another. Almost every war-ending treaty of the past few centuries has included provision about land changing hands (World War II was a particularly big example.) Part of what makes border disputes in Southeast Asia so difficult to understand is the history of the countries involved. Many countries in present day Southeast Asia were formerly under colonial rule—including Cambodia, Lao, Vietnam, and the Philippines—by various western countries. Colonization affected these countries to varying degrees, but almost universally—as was the case throughout the rest of the colonized world—even after their departure in the 20th century, Western countries left the former Southeast Asian colonies with two lasting problems: irregular border and a climate ripe for nationalist fervor.



Beginning in the early 20th century, countries in Southeast Asia began to break from colonial dominance. This often left a power vacuum in national power and, more perniciously, the opportunity for countries to attempt to gain regional superiority. Nationalist monarchies or dictatorships sprang up throughout the region, most advocating for a platform of national supremacy. Under colonization, Western countries had tried to keep down ethnic or regional tension, but soon these boiled over into strong nationalist ideologies. Several countries finally had the opportunity to reclaim areas that they felt were part of their heritage: to which they had a historic and cultural right. By looking at specific dispute—our focus here will center on around Thailand’s borders—we can begin to understand some of the forces at work that have led to territorial ambiguity and, more importantly, more about the institution working to ensure the peace.

THAILAND: FLASHPOINT FOR TERRITORIAL DISPUTES

The Kingdom of Thailand is situated between Laos, Cambodia, Myanmar, and Malaysia. Its own history has been a flashpoint of conflict and over the past thousand years it has been dominated at different times by Khmer, Malay, and most recently during World War II, the Japanese empires. At some point or another most of these borders have been under dispute and analyzing the causes of the disagreement will help guide us to the core of territorial jurisdiction in Southeast Asia. For instance, in Thailand’s south, what has come to be known as “Southern Insurgency” has dogged the Thai government for decades reaching a new level of violence in 2004. Spurred by a variety of different ethnic, religious, and political motives—a full discussion of these is beyond this analysis—several different separatist groups increased violent attacks on the Thai government ultimately hoping to separate the separate the region from Thailand and merge it with Malaysia. The attacks never achieved their overall aim—though thousands were killed over the course of aggressions—the tensions highlighted the difficulty of administering borders among nations with very different cultural, political, and economic motives. What negotiations could Thailand try and put forward? Is giving up territory ever in a country’s best interest?

The issues brought up by the unrest in Southern Thailand again came to the forefront as another region came under dispute recently, this time on the Thai-Cambodian frontier. The Preah Vihear Temple complex sits atop a majestic scene nestled 525 meters high in the Dângrêk Mountains. The Temple’s origins date back over a thousand years with its cur-



rent form erected by the famous Khmer Suryavarman dynasty in the 11th and 12th centuries in honor of the deity Shiva. It was a glorious symbol of one of the most successful kingdoms of the ancient world: ornate carvings, lavish statues, and sweeping panoramas made the sight one of the most dramatic monuments in the region.

In 1904, the French colonial authorities ruling Cambodia attempted to solidify the country's boundaries and, in deciding that the watershed (another term for river line) that ran along Cambodia eastern side meeting place with Thailand, placed most of the Preah Vihear Temple on Thai soil. This angered Cambodians who rightly considered the site an important cultural and historic national landmark. In the 1950s, when the French withdrew from Cambodia, the Thai army occupied the Temple. Repeated pleas by the Cambodian government for the site's return finally resulted in hearing at the International Court of Justice at the Hague, where it was decided that the temple should return to Cambodian control. In 1963, the Cambodian government took control of the site under whose control it has remained ever since.

In early 2008, however, fresh tensions began to arise about the site. In January, 2008 Cambodia lobbied UNESCO (United Nations Educational, Scientific, and Cultural Organization) to add the Preah Vihear Temple to its list of World Heritage sights without informing Thailand of its petition. The standoff quickly escalated as Cambodia, which controlled access to the temple, closed it off to Thai tourists and others trying to visit the site from Thailand. Soon, troops from both countries had massed at the site, it became an environment that was set to explode. As repeated negotiations between both governments failed to come to any resolution to end the troop building, citizens of both nations marched in their respective capitals demanding an end to the standoff.

In early October tensions finally boiled over and troops exchanged prolonged gunfire along the edge of the site. For the rest of October skirmishes flared up all around the area with Thai and Cambodian forces advancing and retreating. There were only a few injuries on either side, but as October wore on and neither side seemed willing to retreat from region—or had any clear idea of what exactly had caused the fighting to begin with—the clashes threatened to escalate. Western countries like the United States and United Kingdom urged the governments of both



Thailand and Cambodia to show restraint. Even though representatives from both had maintained ongoing conversations, the troop building threatened to become a stalemate or worse. Could a supranational institution of neighbors—namely, ASEAN—manage to ease tensions and bring both sides back to negotiations and peace?

ASEAN’S ROLE IN THE STANDOFF

The seeds of Thai-Cambodia standoff were not strictly territorial. Indeed, the subtext of much of the tension was the political and had to do with the current Thai prime minister being seen as a proxy for the ousted Thai leader Thaksin Shinawatra. Yet these political considerations were beyond the scope of this analysis, and for ASEAN secondary to their main goal of ensuring stability for the region. At first, ASEAN was mostly silent about the escalating situation on the border, but as the unrest stretched into 2009, the organization began louder calls for a resolution to the potential conflict. In November 2009, tensions flared again as Cambodia and Thailand each recalled their respective ambassadors. ASEAN Secretary General Surin Pitsuwan voiced his, “concern over the escalation of tensions between Cambodia and Thailand [and] has appealed to both countries to exercise maximum restraint,” in a statement.

Though the border tension never escalated to all-out war and large scale fighting, clearly relations between the two countries remained strained. Publicly, beyond these occasional statements, ASEAN has seemed reluctant to criticize either nation and advocated only for the two sides to keep channels of dialogue open. What more could they have done? Is there a place for sanctions or binding resolutions in how ASEAN operates? In some ways, the Thai-Cambodia episode underscored some of the organization’s weaknesses. Their charter does not allow for binding resolutions or the ability to impose sanctions—or even peacekeeping forces—and, in its original form was intended first to promote good relations between the nations of Southeast Asia. Yet sometimes is it not a neighbor’s responsibility to intervene when other neighbor’s nearly come to fighting over, say, one neighbor stepping on the other’s lawn?



CONCLUSION

ASEAN certainly has a difficult mandate: maintaining peace and prosperity among many different nations sometimes with only geographic proximity in common. Each nation has its own political, social, and economic problems it has to face and sometimes these domestic issues spill over into the foreign realm. Something to think about as you prepare for the HMCA is how supranational organizations can try to effectively promote tranquility while not meddling too much in their member countries' affairs. After all, if ASEAN were to step-in to try to actively resolve something like the most recent Thai-Cambodian standoff it might risk angering both countries which might leave the organization. How can ASEAN—or any other supranational institution (think NAFTA, NATO or the EU) effectively govern its members while still ensuring that membership remains in each individual country's best interest. You will be charged with crafting clever ways of convincing member countries of just that. It will be challenging, but also—as recent tensions have shown—essential to a peaceful future in the region.

SOURCES

Perhaps the best resource is the ASEAN website itself located at

<http://www.aseansec.org/index2008.html> since it will provide you with a broad guideline for how the organization approached the Thai-Cambodian issue and other issues in general. Additionally sources used here include:

John Fuston, *Government and Politics in Southeast Asia*. New York: Zed Books. 2002.

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